

CORPORATION PROCEEDINGS
COMMON COUNCIL
CITY HALL - BUFFALO
TUESDAY, November 3, 2010
AT 2:00 P.M.

Present – David A. Franczyk, President of the Council, and Councilmembers: Fontana, Golombek, Haynes, Kearns, LoCurto, Rivera, Russell & Smith - 9
Absent - None

On a motion by Mr. Fontana, Seconded by Mr. Rivera, the minutes of the stated meeting held on October 19, 2010 were approved.

	* AYE *	NO *
FONTANA	*	*
FRANCZYK	*	*
GOLOMBEK	*	*
HAYNES	*	*
KEARNS	*	*
LOCURTO	*	*
RIVERA	*	*
RUSSELL	*	*
SMITH	*	*

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FROM THE MAYOR

November 3, 2010

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TO: THE COMMON COUNCIL

Date: 10-29-2010

FROM: THE EXECUTIVE DEPARTMENT

SUBJECT: 2011 Capital Budget Recommendations &
2011-2015 Capital Improvements Program Recommendations

In accordance with §20-24 of the City Charter, attached please find my recommended 2011 City of Buffalo Capital Budget and 2011-2015 Capital Improvements Program. Based upon the City of Buffalo Comptroller's recommended debt limits, the 2011 Capital Budget consists of \$22.4 million in funding for City of Buffalo projects and \$4.9 million for Buffalo Public Schools projects.

In recommending individual expenditures, my administration has thoroughly reviewed the recommendations of the Citizens Planning Council (CPC). My administration is greatly appreciative of the difficult task performed by the CPC in evaluating more than \$78 million in requests. As evidenced by the attached budget, I have adhered closely to the recommendations of the CPC.

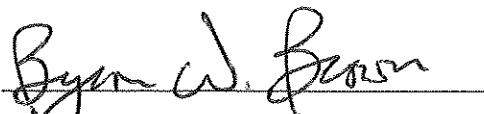
My recommended Capital Budget contains a wide variety of capital improvement projects with more than \$2.89 million in funding for City Parks including the Olmsted Parks and historic Broderick Park. This funding is necessary given the County of Erie's decision to return management of the parks to the City of Buffalo. The remainder of the City's \$22.4 million in capital funding is highlighted by:

• Citywide Infrastructure – Repair/Replacement	\$5,146,561
• Buffalo Public Schools	\$4,900,000
• Emergency Demolitions	\$2,686,022
• City-wide Tree Removal & Planting	\$1,605,000
• Buffalo Fire Department Fire Apparatus	\$1,465,900
• Buffalo Police Department Prisoner Lock-up	\$1,405,000
• Cultural Institutions	\$1,235,420
• City-wide Community Centers (HVAC, Mechanical, Electrical, Roof Repairs)	\$561,750
• Building Needs Assessment	\$535,000
• Broadway Market	\$347,750
• Downtown Ball Park (Coca-Cola Field) Improvements	\$188,320

DEPARTMENT HEAD NAME: Byron W. Brown

TITLE: Mayor

SIGNATURE OF DEPARTMENT HEAD:



REFERRED TO THE SPECIAL
COMMITTEE ON BUDGET

A

2011 CAPITAL BUDGET RECOMMENDATIONS

PROJECT	2011
BUFFALO PUBLIC SCHOOLS	
bps11001 Reconstruction of Various Schools (Plant Services)	4,900,000
COMPTROLLERS CAP - BUFFALO PUBLIC SCHOOLS	4,900,000
CITY OF BUFFALO	
BUFFALO FIRE DEPARTMENT	
BFD07001 Purchase Fire Apparatus	1,465,900
BLDG11013 Fire Department Various Reconstruction/Upgrades (Buildings & Facilities)	240,750
BUFFALO POLICE DEPARTMENT	
BPD11001 City Court Prisoner Lock-up (Buildings & Facilities)	1,405,000
BPD11006 Renovation Police Districts (Buildings & Facilities)	467,858
BPD11007 Police Headquarter Renovation (Buildings & Facilities)	202,444
CULTURAL ORGANIZATIONS	
ARTS11001 Restoration and Conservation of Public Art (Bldgs & Facil.)	223,000
BECHS11002 Replacement of Windows in Pan Am Building Annexes (Buildings & Facilities)	53,500
BMOS11001 Heat Pump Replacement (Buildings & Facilities)	80,250
BMOS11002 HVAC - Lieberts (Buildings & Facilities)	74,900
KMH11011 Kleinhans Revitalization Plan (Buildings & Facilities)	240,750
SHEAS11001 STAGEHOUSE BRICK (Buildings & Facilities)	107,000
SHEAS11004 FIRE ESCAPE (Buildings & Facilities)	18,190
SHEAS11005 BOILER REPLACEMENT (Buildings & Facilities)	187,250
SHEAS11006 Shea's Emergency Generator (Buildings & Facilities)	100,580
ZOO11002 Zoo Main Animal Building Roof Repair (Engineering)	150,000
DPW - BUILDINGS	
BLDG11001 City Hall Bathroom Renovation (Buildings & Facilities)	160,500
BLDG11002 City Hall Electrical Upgrades (Buildings & Facilities)	64,200
BLDG11007 City Hall Front Entrance Reconstruction (Buildings & Facilities)	208,650
BLDG11009 City Court Emergency Generator (Buildings & Facilities)	342,400
BLDG11010 Broadway Market Improvements (Buildings & Facilities) - Citywide Asset	240,750
BLDG11023 Community Center HVAC & Mechanical Upgrades (Bldgs & Facil.)	197,950
BLDG11024 Community Center Electrical Upgrades (Bldgs & Facil.)	133,750
BLDG11025 Community Center Roof Replacements (Buildings & Facilities)	230,050
BLDG11027 Broadway Depot Roof Replacement (Buildings & Facilities)	107,000
BLDG11029 District Heat Plant Upgrades (Buildings & Facilities)	107,000
BLDG11031 City-wide Building Inspection & Needs Assessment (Buildings & Facilities)	535,000
BLDG11032 City-wide Building Improvements (includes Lanigan Center Improvements)	642,000
BLDG11033 Downtown Ball Park (Coca-Cola Field) Reconstruction	188,320
DPW - ENGINEERING & STREETS	
ENGR06001 Citywide Infrastructure Repair/Replacement (Engineering)	5,146,561
ENGR07012 Emergency Bridge Repairs (Engineering)	457,960
ENGR10001 Fruit Belt Redevelopment (Engineering) - 95% match	90,415
ENGR11001 West Ferry Lift Bridge Rehabilitation (Engineering) - TIP match	214,000
ENGR11003 South Park Loop Bridge Rehabilitation (Engineering) - 95% match	42,800
ENGR11004 Elmwood Ave. (Forest to 198) (Engineering) - 95% match	139,100
ENGR11005 BNMC Phase II-B (Engineering) - 95% match	171,200
ENGR11006 BNMC Phase III (Engineering) - 95% match	53,500
ENGR11007 Erie Canal Phase III (Engineering) - 95% match	53,500
STRT08002 Streets Vehicles (Streets)	675,000
DPW - PARKS	
PRKS11001 Citywide Parks Improvements - (Includes funding for Olmsted Parks)	1,605,000
PRKS11002 Broderick Park Phase I, II (Parks) - Citywide Asset	750,000
PRKS11003 Citywide Tree Removal & Planting	1,605,000
PRKS11004 Park Vehicles and Equipment (Parks)	535,000
DEMOS & STRATEGIC PLANNING	
INSP11001 DEMOLITIONS OF BUILDINGS/STRUCTURES (Demolitions)	2,686,022
TOTAL	22,400,000
LESS: COMPTROLLERS CAP	22,400,000

2011-2015 CAPITAL IMPROVEMENTS PROGRAM RECOMMENDATIONS

	2011	2012	2013	2014	2015
BUFFALO PUBLIC SCHOOLS					
bps11001 Reconstruction of Various Schools (Plant Services)	4,900,000	5,200,000	5,600,000	5,700,000	6,100,000
COMPTROLLERS CAP - BUFFALO PUBLIC SCHOOLS					
	4,900,000				
BUFFALO FIRE DEPARTMENT					
BFD07001 Purchase Fire Apparatus	1,465,900	2,152,252	2,152,252	2,152,252	2,152,252
BLDG11013 Fire Department Various Reconstruction/Upgrades (Buildings & Facilities)	240,750	240,750	240,750	240,750	240,750
BUFFALO POLICE DEPARTMENT					
BPD11001 City Court Prisoner Lock-up (Buildings & Facilities)	1,405,000				
BPD11006 Renovation Police Districts (Buildings & Facilities)	467,858				
BPD11007 Police Headquarter Renovation (Buildings & Facilities)	202,444				
CULTURAL ORGANIZATIONS					
ARTS11001 Restoration and Conservation of Public Art (Buildings & Facilities)	223,000	217,000	215,000	214,000	194,000
BECHS11002 Replacement of Windows in Pan Am Building Annexes (Buildings & Facilities)	53,500				
DPW - BUILDINGS					
BMOS11001 Heat Pump Replacement (Buildings & Facilities)	80,250	80,250			
BMOS11002 HVAC - Lieberts (Buildings & Facilities)	74,900	74,900	74,900	74,900	85,600
KMH11011 Kleinhans Revitalization Plan (Buildings & Facilities)	240,750				
SHEAS11001 STAGEHOUSE BRICK (Buildings & Facilities)	107,000				
SHEAS11004 FIRE ESCAPE (Buildings & Facilities)	18,190				
SHEAS11005 BOILER REPLACEMENT (Buildings & Facilities)	187,250				
SHEAS11006 Shea's Emergency Generator (Buildings & Facilities)	100,580				
ZOO11002 Zoo Main Animal Building Roof Repair (Engineering)	150,000				
DPW - BUILDINGS					
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BLDG11029 District Heat Plant Upgrades (Buildings & Facilities)	107,000	214,000	214,000	214,000	214,000
BLDG11031 City-wide Building Inspection & Needs Assessment (Buildings & Facilities)	535,000				
BLDG11032 City Wide Building Improvements (Buildings & Facilities) - includes Lanigan Center Improvements	642,000	642,000	642,000	642,000	642,000
BLDG11033 Downtown Ball Park (Coca-Cola Field) Reconstruction	188,320				

2011-2015 CAPITAL IMPROVEMENTS PROGRAM RECOMMENDATIONS

	2011	2012	2013	2014	2015
DPW - ENGINEERING & STREETS					
ENGR06001 Citywide Infrastructure Repair/Replacement (Engineering)	5,146,561	4,749,790	4,815,000	4,815,000	4,815,000
ENGR07012 Emergency Bridge Repairs (Engineering)	457,960	535,000	535,000	535,000	535,000
ENGR10001 Fruit Belt Redevelopment (Engineering) - 95% match	90,415				
ENGR11001 West Ferry Lift Bridge Rehabilitation (Engineering) - TIP match	214,000				
ENGR11003 South Park Loop Bridge Rehabilitation (Engineering) - 95% match	42,800				
ENGR11004 Elmwood Ave. (Forest to 198) (Engineering) - 95% match	139,100				
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ENGR11006 BNMC Phase III (Engineering) - 95% match	53,500				
ENGR11007 Erie Canal Phase III (Engineering) - 95% match	53,500				
STRT08002 Streets Vehicles (Streets)	675,000	850,000	850,000	850,000	850,000
DPW - PARKS					
PRKS11001 Citywide Parks Improvements (Parks) - Includes Olmsted Parks	1,605,000	1,605,000	1,605,000	1,605,000	1,605,000
PRKS11002 Broderick Park Phase I, II (Parks)	750,000				
PRKS11003 Citywide Tree Removal & Planting (Parks)	1,605,000				
PRKS11004 Park Vehicles and Equipment (Parks)	535,000				
DEMOS & STRATEGIC PLANNING					
INSP11001 DEMOLITIONS OF BUILDINGS/STRUCTURES (Demolitions)	2,686,022	2,140,000	2,140,000	2,140,000	2,140,000
TOTAL	22,400,000	13,500,942	13,483,902	13,482,902	13,473,602
COMPTROLLERS CAP - CITY OF BUFFALO	22,400,000	21,700,000	21,500,000	21,400,000	19,400,000

FROM THE MAYOR - EXECUTIVE DEPARTMENT

November 3, 2010

FROM THE OFFICE OF CITIZEN SERVICES

COMMUNICATION TO THE COMMON COUNCIL

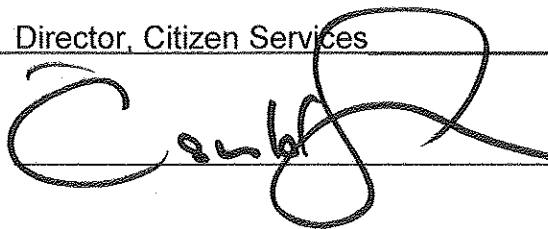
TO: THE COMMON COUNCIL

DATE: October 1, 2010FROM: DEPARTMENT: Office of the MayorDIVISION: Citizen ServicesSUBJECT: Submission of Monthly Report- September 2010

The Office of Mayor, Division of Citizen Services, hereby submits, for your Honorable Body's review and approval, the monthly reports for the Mayor's Call and Resolution Center for the month of September 2010, as mandated by Section 6-20(c) of the City of Buffalo's City Charter. This monthly statistical report details the number and nature of inquiries, requests and complaints received.

Department Head Name: Oswaldo Mestre Jr.Title: Director, Citizen Services

Signature of Department Head:



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**City of Buffalo
Citizen Services
218 City Hall**

Calls Between 9/1/2010 and 9/30/2010

Name	Opened During Period
Administrative Adjudication	3
Americorp	4
Anti-Graffiti Program	19
BFD Fire Issue	1
BMHA	4
Board of Education	2
BPD Employee Issue	7
Buffalo Police Department	193
Citizens' Information	28
Citizens Participation & Information	2
City Clerk Issue	7
City Parks	20
CityClerk Dog License	13
CommSvs CommunityBased Organizations	1
EDPIS	1099
Graffiti PW Traffic	1
HR Civil Service Issue	1
HR Comp and Benefits	1
Illegal Dumping OSP RealEstate	2
Illegal Dumping PW_Curb	14
Illegal Dumping PW_Street	3
Inrem Real Estate	56
Law Claims	14
NationalGrid Streetlights2	312
Neighborhood CleanUp	13
Olmsted Parks	3
OSP Housing Loans	1
OSP Other Issue	2
Pest	170
PVB Abandoned Vehicle	17
PVB Meter Issue	22
PVB Parking Issue	67
PW Adj Violations	64
PW Animals	121
PW Bridge Issue	1
PW Buildings Maintenance	3
PW Bulk Trash	31
PW Cave In	12
PW City Forester	13
PW City Park Tree Issue	4
PW Curbs	18
PW Damage from Sts Worker	13
PW Damaged Street Light Pole	11
PW Dead Animal Removal	53
PW Excess Trash	4
PW Forestry SubContractor	243
PW Garbage Missed Pickup	154
PW Leaves / Lawn Debris	6
PW Missed 2_Piece Trash	34

218 City Hall

Calls Between 9/1/2010 and 9/30/2010

Name	Opened During Period
PW Other Hole in Road	7
PW Park Garbage Pickup	2
PW Pavement Markings Lane Lines	1
PW Pavement Markings Other	2
PW Paving	39
PW Pools_Splashpads	2
PW Pot Hole	48
PW Recreation	2
PW Recycling Bin Delivery	33
PW Recycling Missed Pickup	116
PW Recycling Personnel Issue	11
PW Right of Way Issue	7
PW Rodents	207
PW Sanitation Personnel	13
PW Sidewalks	122
PW Sign Hazards	14
PW Sign Maintenance	49
PW Signal Other Issue	13
PW Signal Timing Issue City	4
PW Streets Personnel	4
PW Sweeper	22
PW Totes	726
PW Totes Audit	44
PW User Fee	4
PW Vacant Lot	37
Quick Response Teams	69
Recycling Bin Pickup	22
Save Our Streets	13
Sewer	50
Taxation Issue	1
Water	40
Website Issues	4
Water	35
Website Issues	3

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FROM THE CITY PLANNING BOARD

November 3, 2010

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SEQRA Notice of Determination
Non Significance

Negative Declaration

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (SEQR – State Environmental Quality Review) of the Environmental Conservation Law.

Lead Agency: City of Buffalo Planning Board
Room 901, City Hall
65 Niagara Square
Buffalo New York 14202

As per the provisions of SEQR, the Lead Agency has reviewed the following action as it relates to the environment:

Action Title The Calumet Building

Location: 233 Franklin Street

Type of Action: Type I, Coordinated

Description: Carmina, Woods, Morris Architecture, Engineering & Interior Design is proposing the rehabilitation of the Calumet Building on the property located at 233 Franklin Street, Buffalo New York. The project will include the exterior restoration, including new windows and masonry/terra cotta restoration. The first floor will remain Commercial Tenant Space while floors two and three will be converted into law offices. It is expected that the proposed construction could begin in December with a five to six month construction schedule. The budget is currently set for two million dollars all of which will be privately funded. The project financing will be offset through historic preservation tax credits. The process for receiving tax credits has already begun. In addition to the comprehensive restoration of the exterior, all new windows, masonry cleaning/re-pointing and a new roof along with the complete renovation of the interior.

As a result of this Environmental Review, the Lead Agency has determined the undertaking of this action will not have a significant adverse affect on the quality of the environment. No further environmental review of this action will be conducted prior to project implementation and a Draft Environmental Impact Statement will not be prepared.

Reasons Supporting This Determination: The facts and reasons for this decision are as follows: this project will renovate and preserve for many years an important building in the core of Downtown Buffalo. The identified potential negative impacts appear to be primarily short-term site preparation and construction related activities, and do not appear to be significant in magnitude or effect. There are no actions, which will have a significant adverse impact on the environment.

For further information relative to this Negative Declaration, contact Mr. Martin Grunzweig, Land Use Controls Coordinator, Room 901 City Hall, Buffalo, New York 14202 – 716 851-5085

Dated: October 26, 2010

CC: City Clerk
City of Buffalo Public Works, Parks, Streets Department
City of Buffalo Economic Development, Permits and Inspection
Carmina Wood Morris
ECIDA
Environmental Notice Bulletin

RECEIVED AND FILED

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**SEQRA Notice of Determination
Non Significance****Negative Declaration**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (SEQR – State Environmental Quality Review) of the Environmental Conservation Law.

Lead Agency: City of Buffalo Planning Board
Room 901, City Hall
65 Niagara Square
Buffalo New York 14202

As per the provisions of SEQR, the Lead Agency has reviewed the following action as it relates to the environment:

Action Title North Star Supply Building Addition

Location: 55 Thielman Drive

Type of Action: Unlisted- Uncoordinated

Description: Kulbacks Construction Inc, General contractors on behalf of North Star Supply is proposing the construction of a building addition located at 55 Thielman Drive, Buffalo New York. The proposed project consists of the construction of a 9,025 square foot single story warehouse addition to the existing building. The building will match the existing building being a pre engineered design that abuts the easterly sidewall of the existing metal paneled building. There will be no additional parking, loading or staging areas. The existing lighting and signage will not be changed. The project will be funded privately by M&T Bank in the amount of approximately \$400,000.00. The anticipated time of completion is three months.

As a result of this Environmental Review, the Lead Agency has determined the undertaking of this action will not have a significant adverse affect on the quality of the environment. No further environmental review of this action will be conducted prior to project implementation and a Draft Environmental Impact Statement will not be prepared.

Reasons Supporting This Determination: The facts and reasons for this decision are as follows: this project will allow North Star Supply Inc. to remain profitable at this location, as well as providing a better facility for their customers. The identified potential negative impacts appear to be primarily short-term site preparation and construction related activities, and do not appear to be significant in magnitude or effect. There are no actions, which will have a significant adverse impact on the environment.

For further information relative to this Negative Declaration, contact Mr. Martin Grunzweig, Land Use Controls Coordinator, Room 901 City Hall, Buffalo New York 14202 – 716 851-5085

Dated: October 26, 2010

CC: City Clerk
City of Buffalo Public Works, Parks, Streets Department
City of Buffalo Economic Development, Permits and Inspection
North Star Inc.

RECEIVED AND FILED

FROM THE OFFICE OF STRATEGIC PLANNING

#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
1279 Broadway, 32.43' W Mohr
Lot Size: 30' x 126'
Assessed Valuation: \$1,500.00

1283 Broadway, W Cor. Mohr
Lot Size: 32' x irreg. 132.98' EL
Assessed Valuation: \$1,400.00
(Fillmore District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Gregory Wachowiak, 1275 Broadway Street, Buffalo, New York 14212 to purchase 1279 and 1283 Broadway. Mr. Wachowiak owns and resides at 1275 Broadway, which is adjacent to 1279 and 1283 Broadway. He intends to use these properties for additional green space.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Sixty Five Cents (\$.65) to Seventy Five Cents (\$.75), per square foot.

Mr. Wachowiak has agreed and is prepared to pay Five Thousand Nine Hundred Dollars (\$5,900.00), Seventy Five Cents (\$.75) per square foot for the subject properties. He has also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 1279 and 1283 Broadway to Mr. Gregory Wachowiak in the amount of Five Thousand Nine Hundred Dollars (\$5,900.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

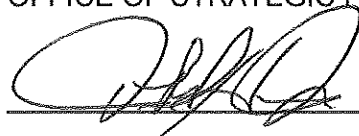
DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck

Reportsale1279&1283broadway/real



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Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 22, 2010, be received and filed; and

That the offer from Mr. Gregory Wachowiak, 1275 Broadway, in the sum of Five Thousand Nine Hundred Dollars (\$5,900.00) for the purchases of 1279 and 1283 Broadway, be and they hereby are accepted; and

That the transfer taxes, recording fees and cost of legal descriptions shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of titles and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offers were submitted.

Passed.

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 19, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
383 Massachusetts, 107' E Shields
Lot Size: 25' x 100'
Assessed Valuation: \$4,100.00
(Niagara District)

The Office of Strategic Planning, Division of Real Estate has received a request from the Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, Buffalo, New York 14213 to purchase 383 Massachusetts. This vacant lot will be used for community green space.

The Division of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from One Dollar (\$1.00) to One Dollar and Fifty Cents (\$1.50), per square foot.

Neighborhood Stabilization Corporation has agreed and is prepared to pay Three Thousand One Hundred Twenty Five Dollars (\$3,125.00), One Dollar and Twenty Five Cents (\$1.25) per square foot for the subject property. They have also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 383 Massachusetts to Neighborhood Stabilization Corporation in the amount of Three Thousand One Hundred Twenty Five Dollars (\$3,125.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME: JOHN P. HANNON, JR.

TITLE: DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck

Reportsale383massachusetts/real



50
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 19, 2010, be received and filed; and

That the offer from Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, in the sum of Three Thousand One Hundred and Twenty-Five Dollars (\$3,125.00) for the purchase of 383 Massachusetts, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
1241 Michigan, 90.75' N Southampton
Lot Size: 25' x 115'
Assessed Valuation: \$1,200.00
(Ellicott District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Bryon J. McIntyre, 1239 Michigan Avenue, Buffalo, New York 14209 to purchase 1241 Michigan. Mr. McIntyre owns and resides at 1239 Michigan, which is adjacent to 1241 Michigan. He intends to use the vacant lot for additional yard space.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Forty Five Cents (\$.45) to Sixty Five Cents (\$.65), per square foot.

The results of our negotiations are that Mr. McIntyre has agreed and is prepared to pay One Thousand Three Hundred Dollars (\$1,300.00), Forty Five Cents (\$.45) per square foot for the subject property. He has also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 1241 Michigan to Mr. McIntyre in the amount of One Thousand Three Hundred Dollars (\$1,300.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME: JOHN P. HANNON

TITLE: DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck
repsale1241michigan



22

6

23
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 22, 2010, be received and filed; and

That the offer from Mr. Bryon J. McIntyre, 1239 Michigan Avenue, in the sum of One Thousand and Three Hundred Dollars (\$1,300.00) for the purchase of 1241 Michigan, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

24

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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Maj - 5
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00008

#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
84 Mohr, 260' N Grimes
Lot Size: 30' x 120'
Assessed Valuation: \$1,500.00
(Fillmore District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Donald W. Wainwright, 80 Mohr Street, Buffalo, New York 14212 to purchase 84 Mohr Street. Mr. Wainwright owns and resides at 80 Mohr Street, which is adjacent to 84 Mohr. He intends to use the vacant lot for additional green space.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Forty Cents (\$.40) to Sixty Cents (\$.60), per square foot. Mr. Wainwright has agreed and is prepared to pay One Thousand Five Hundred Dollars (\$1,500.00), Forty Two Cents (\$.42) per square foot for the subject property. He has also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 84 Mohr to Mr. Donald Wainwright in the amount of One Thousand Five Hundred Dollars (\$1,500.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:
JPH:ck
Repsale84mohr



24
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 22, 2010, be received and filed; and

That the offer from Mr. Donald W. Wainwright, 80 Mohr Street, in the sum of One Thousand and Five Hundred Dollars (\$1,500.00) for the purchase of 84 Mohr, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

27

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 19, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
401 Rhode Island, E Corner of Bremen
Lot Size: 44' x 104'
Assessed Valuation: \$5,900.00
(Niagara District)

The Office of Strategic Planning, Division of Real Estate has received a request from the Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, Buffalo, New York 14213 to purchase 401 Rhode Island. This vacant lot will be used for community green space.

The Division of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from One Dollar (\$1.00) to One Dollar and Fifty Cents (\$1.50), per square foot.

Neighborhood Stabilization Corporation has agreed and is prepared to pay Six Thousand Nine Hundred Dollars (\$6,900.00), One Dollar and Fifty Cents (\$1.50) per square foot for the subject property. They have also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 401 Rhode Island to Neighborhood Stabilization Corporation in the amount of Six Thousand Nine Hundred Dollars (\$6,900.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

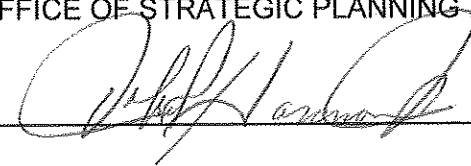
DEPARTMENT HEAD NAME: JOHN P. HANNON, JR.

TITLE: DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck

Reportsale401rhodeislands/real



29
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 19, 2010, be received and filed; and

That the offer from Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, in the sum of Six Thousand and Nine Hundred Dollars (\$6,900.00) for the purchase of 401 Rhode Island, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
133 Spruce, 202' S Genesee
Lot Size: 25' x 106'
Assessed Valuation: \$1,300.00

135 Spruce, 177' S Genesee
Lot Size: 25' x 106'
Assessed Valuation: \$1,400.00
(Ellicott District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Thomas H. Burton, President of Tatanka Development Company, Inc., 403 Main Street, Suite 716, Buffalo, New York 14203 to purchase 133 and 135 Spruce. Tatanka Development Company, Inc. own properties in the surrounding area and intend to use 133 and 135 Spruce for their future development.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Forty Cents (\$.40) to Sixty Cents (\$.60), per square foot.

Mr. Burton on behalf of Tatanka Development, Inc. has agreed and is prepared to pay Two Thousand Five Hundred Dollars (\$2,500.00), Forty Seven Cents (\$.47) per square foot for the subject properties. They have also agreed to pay for the cost of the transfer tax and recording fees.

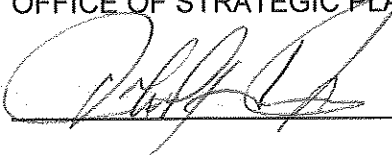
I am recommending that Your Honorable Body approve the sale of 133 and 135 Spruce to Tatanka Development Company, Inc. in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck
Reportsale133&135spruce/real



32
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 22, 2010, be received and filed; and

That the offer from Mr. Thomas H. Burton, President of Tatanka Development Company, Inc., 403 Main Street, Suite 716, in the sum of Two Thousand and Five Hundred Dollars (\$2,500.00) for the purchases of 133 and 135 Spruce, be and they hereby are accepted; and

That the transfer taxes, recording fees and cost of legal descriptions shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of titles and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offers were submitted.

Passed.

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
108 Timon, 210' S Best
Lot Size: 3' x 137'
Assessed Valuation: \$200.00
(Ellicott District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Kenneth L. Gayles, 240 Le Brun Road, Amherst, New York 14226 to purchase 108 Timon Street. Mr. Gayles owns a two family house at 110 Timon, which is adjacent to 108 Timon. He intends to use the vacant lot for additional green space for his tenants.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Forty Cents (\$.40) to Sixty Cents (\$.60), per square foot. Mr. Gayles has agreed and is prepared to pay Two Hundred Fifty Dollars (\$250.00), Sixty Cents (\$.60) per square foot for the subject property. He has also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 108 Timon to Mr. Kenneth Gayles in the amount of Two Hundred Fifty Dollars (\$250.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck
Repsale108TIMON/re



35
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 22, 2010, be received and filed; and

That the offer from Mr. Kenneth L. Gayles, 240 LeBrun Road, Amherst, NY 14226, in the sum of Two Hundred and Fifty Dollars (\$250.00) for the purchase of 108 Timon, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

36

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
Westerly Portion of 94 Glenwood
Lot Size: 25' x 106'
(Masten District)

The Office of Strategic Planning, Division of Real Estate has received a request from Ms. Debra L. Jackson, 89 Decker Street, Buffalo, New York 14215 to purchase the westerly portion of 94 Glenwood, 25' x 106'. Ms. Jackson owns a one family house at 92 Glenwood, which is adjacent to the westerly portion of 94 Glenwood. She intends to use said portion of the City owned vacant lot for additional green space.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Fifty Cents (\$.50) to Seventy Five Cents (\$.75), per square foot.

Ms. Jackson has agreed and is prepared to pay One Thousand Three Hundred Dollars (\$1,300.00), Fifty Cents (\$.50) per square foot for the subject property. She has also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of the westerly portion of 94 Glenwood, 25' x 106', to Ms. Debra Jackson in the amount of One Thousand Three Hundred Dollars (\$1,300.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

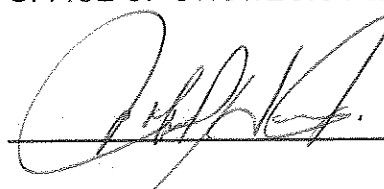
DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck

Repsaleportion94glenwoodre



REFERRED TO THE COMMITTEE
ON COMMUNITY DEVELOPMENT.

00013

#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 19, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
40 Winter, 225' SE Hampshire
Lot Size: 30' x 151'
Assessed Valuation: \$5,400.00

42 Winter, 195' SE Hampshire
Lot Size: 30' x 71'
Assessed Valuation: \$3,700.00
(Niagara District)

The Office of Strategic Planning, Division of Real Estate has received a request from the Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, Buffalo, New York 14213 to purchase 40 and 42 Winter. These vacant lots will be used for community green space.

The Division of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from One Dollar (\$1.00) to One Dollar and Fifty Cents (\$1.50), per square foot.

Neighborhood Stabilization Corporation has agreed and is prepared to pay Six Thousand Six Hundred Sixty Dollars (\$6,660.00), One Dollar (\$1.00) per square foot for the subject properties. They have also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 40 and 42 Winter to Neighborhood Stabilization Corporation in the amount of Six Thousand Six Hundred Sixty Dollars (\$6,660.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME: JOHN P. HANNON, JR.

TITLE: DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck
Reportsale40&42winter/real



38

12

39
Mr. Fontana moved:

That the above communication from the Office of Strategic Planning dated October 19, 2010, be received and filed; and

That the offer from Neighborhood Stabilization Corporation, Mr. Aaron Bartley, 271 Grant Street, in the sum of Six Thousand and Six Hundred and Sixty Dollars (\$6,660.00) for the purchases of 40 and 42 Winter, be and they hereby are accepted; and

That the transfer taxes, recording fees and cost of legal descriptions shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of titles and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offers were submitted.

Passed.

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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#1 (Rev. 1/93) One Page Communication to the Common Council

TO: THE COMMON COUNCIL DATE: October 22, 2010

FROM: DEPARTMENT: Office of Strategic Planning

DIVISION: Real Estate

SUBJECT: Report of Sale
158 Woodlawn, 67.50' W Chester
Lot Size: 33' x 100'
Assessed Valuation: \$1,400.00
(Masten District)

The Office of Strategic Planning, Division of Real Estate has received a request from Mr. Nelson Cosgrove, Attorney at Law, for Gospel Expansion Ministries Foundation, Inc., Rev. Otis C. Tillman, 461 Masten Avenue, Buffalo, New York 14209 to purchase the City owned vacant lot at 158 Woodlawn. The Foundation owns a social services outreach center at 148 Woodlawn, which is adjacent to 158 Woodlawn. They intend to construct a playground area for the center.

The Office of Strategic Planning Land Use Planning Committee, Division of Permit and Inspection Services and the Division of Collections have no objections to the sale. There are no building code violations, taxes or other liens owed to the City of Buffalo by the purchaser.

The Division of Real Estate has investigated the sale of similar lots in the subject area. Sales range from Forty Cents (\$.40) to Fifty Cents (\$.50), per square foot.

Gospel Expansion Ministries Foundation, Inc. has agreed and is prepared to pay One Thousand Seven Hundred Dollars (\$1,700.00), Fifty Cents (\$.50) per square foot for the subject property. They have also agreed to pay for the cost of the transfer tax and recording fees.

I am recommending that Your Honorable Body approve the sale of 158 Woodlawn to Gospel Expansion Ministries Foundation, Inc., Rev. Otis Tillman in the amount of One Thousand Seven Hundred Dollars (\$1,700.00). I am further recommending that the Office of Strategic Planning prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same.

DEPARTMENT HEAD NAME:
TITLE:

JOHN P. HANNON, JR.
DIRECTOR OF REAL ESTATE
OFFICE OF STRATEGIC PLANNING

SIGNATURE OF DEPARTMENT HEAD:

JPH:ck

Repsaleportion94glenwoodre

REFERRED TO THE COMMITTEE
ON COMMUNITY DEVELOPMENT.

48

FROM THE COMPTROLLER

November 3, 2010

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **October 25, 2010**
in the Department of **Audit and Control**
Division of **Comptroller**
to the Position of **Special Assistant to The Comptroller**
Permanent, Provisional, Temporary, Seasonal (Insert one) **EXEMPT**
Appointment, Promotion, Non-Competitive (Insert one) **APPOINTMENT**
Minimum, Intermediate, Maximum, Flat (Insert one) **FLAT**

(Enter Starting Salary) : Starting Salary of: **\$63,676**

LAST JOB TITLE
LAST DEPARTMENT
LAST SALARY
NAME
ADDRESS
CITY & ZIP
Amber Small
65 Maple Road
Fredonia, NY 14063
DATE
LAST 4 DIGITS OF SSN. **XXX-XX-2797**

LAST JOB TITLE
LAST DEPARTMENT
LAST SALARY
NAME
ADDRESS
CITY & ZIP
DATE
LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE **10441001** TITLE CODE NO **0355**
BUDGET ACCT. OBJ. **411001** PROJ. ID PERSONNEL REQ. NO **5115**
SALARY RANGE OF POSITION **63,676** PER YEAR DAY HOUR **YEAR**

REASON FOR APPT. ABOVE THE MINIMUM: **Vacancy due to resignation. This is an exempt position.**

NAME OF APPOINTING AUTHORITY: **Andrew A. SanFilippo**
TITLE OF APPOINTING AUTHORITY: **Comptroller**
DATE: **October 18, 2010**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)
OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET
#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

44

FROM THE COMMISSIONER OF ASSESSMENT AND TAXATION

November 3, 2010

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL:
DATE: [: October 20, 2010

FROM: DEPARTMENT: [: Assessment & Taxation

SUBJECT: [: Board of Assessment Review
[: Appointment, Temporary Members
[: Warren Glover and Arthur Robinson
[:

PRIOR COUNCIL REFERENCE: (IF ANY) [:
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

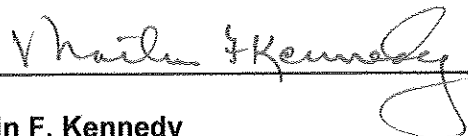
I am respectfully requesting Common Council action to re-appoint as temporary members to the Board of Assessment Review (BAR) the individuals listed below who served last year as temporary BAR members. They will serve, if necessary, approximately twenty days as needed during the time period of January 2011 to mid-February 2011. The Department of Assessment & Taxation is preparing contingencies should it prove to be necessary to supplement the existing permanent board for the upcoming assessment challenge period. These two (2) temporary boardmembers working in conjunction with the five permanent members will allow this office to establish mini-boards, if needed.

At times in the past we have needed to use all five (5) permanent and the temporary members to guarantee daily quorums due to member absences and the volume of challenges. Having temporary members appointed, trained and available for service assures the smooth functioning of the review process.

Therefore I am recommending Common Council approval of the following individuals to serve a one (1) year term as temporary BAR members:

Warren Glover, 17 Newport Avenue, Buffalo, New York 14216
Arthur Robinson, 192 Maurice Street, Buffalo, New York 14210

SIGNATURE



DEPARTMENT HEAD NAME :
DEPARTMENT HEAD TITLE :

Martin F. Kennedy
Commissioner, Assessment & Taxation

286
Mr. Fontana moved:

That the above communication from the Commissioner of Assessment & Taxation dated October 20, 2010, be received and filed; and

That the reappointment as temporary members to the Board of Assessment Review, to serve, if necessary, approximately twenty (20) days as needed during the time period of January 2010 to mid February 2011 of Warren Glover, 17 Newport and Arthur Robinson, 192 Maurice Street, are hereby approved to serve a one (1) year term, on the condition that they do not owe any outstanding liens to the City of Buffalo.

Passed

47

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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00017

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL:
DATE: [: October 20, 2010
FROM: DEPARTMENT: [: Assessment & Taxation
SUBJECT: [: Board of Assessment Review
[: Appointment, Permanent Member
[: William Maggio
[:

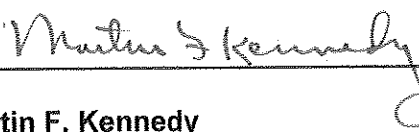
PRIOR COUNCIL REFERENCE: (IF ANY) [:
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

The five (5) year appointment to the Board of Assessment Review of William Maggio, 230 Wellington Avenue, Buffalo, New York 14216 expired on September 30, 2010. By state provision, a Board of Assessment Review member whose term has expired may not participate in board actions and may not be considered for purposes of determining a quorum. Any new or re-appointed member must receive training from the Erie County Director of Real Property Services and be certified to New York State before assuming the duties of a board member.

Therefore, I am respectfully requesting the Common Council reappoint Mr. Maggio to an additional five (5) year term as soon as possible so that the required State training can occur before commencement of hearings.

SIGNATURE

DEPARTMENT HEAD NAME :
DEPARTMENT HEAD TITLE :


Martin F. Kennedy
Commissioner, Assessment & Taxation

49
Mr. Fontana moved:

That the above communication from the Commissioner of Assessment & Taxation dated October 20, 2010, be received and filed; and

That the reappointment to the Board of Assessment Review of William Maggio, 230 Wellington Avenue for an additional five (5) year term as soon as possible so that the required State training can occur before commencement of hearings, on the condition that he does not owe any outstanding liens to the City of Buffalo.

Passed

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

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FROM THE COMMISSIONER OF PUBLIC WORKS, PARKS AND STREETS

November 3, 2010

TO: THE COMMON COUNCIL

DATE: October 12th, 2010

FROM: DEPARTMENT: Public Works, Parks & Streets

DIVISION: Engineering

SUBJECT: [Change in Contract
[Curb & Sidewalk Replacement – 2010, Gr. #706
[Mid-City NRSA Boundary – BURA Funded
[Valeri Concrete Construction, Inc.
[Contract #93000613

PRIOR COUNCIL REFERENCE: (IF ANY) [:

I hereby submit to your Honorable Body the following unit price additions to the contract for the above named Project. This change order is necessary to increase unit quantities to complete additional sidewalk replacement.

Location of work eligible with Mid – City NRSA Boundary:

Ellicott District Eaton – Jefferson to Masten

Masten District Castle – Kensington to Leroy

Contract Item	Description	Unit Price	Estimated Quantity	Estimated Cost
R05.204	Concrete Sidewalk – 4" Replacement	\$4.35/sq.ft.	8,700 sq.ft.	\$37,845.00
R05.205	Concrete Sidewalk – 5" Replacement	\$4.73/sq.ft.	8,000 sq.ft.	\$37,840.00
12.110	Maintenance & Protection of Traffic	100%	1/ lump sum	<u>\$2,200.00</u>
Total Change Order				\$77,885.00

Original Contract Amount	\$431,117.50
Change Order #1	<u>\$ 77,885.00</u>

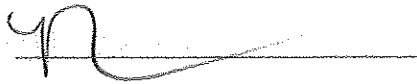
Total Contract to Date \$509,002.50

Funds are available in a CDBG-R Account, Capital Projects Account #33311106-445100, and another account(s) to be named at a future date.

I respectfully certify that this change order is fair and equitable for the work involved, and respectfully request that Your Honorable Body approve the subject change order and authorize the Commissioner of Public Works, Parks & Streets to issue said change order to Valeri Concrete Construction, Inc.

PJM:SJS:MJZ:llf
cc: Bill Heinhold

TYPE DEPARTMENT HEAD NAME: Peter J. Merlo, P.E.
TYPE TITLE: City Engineer

SIGNATURE OF DEPARTMENT HEAD:

53
Mr. Fontana moved:

That the above communication from the Commissioner of Public Works, Parks and Streets dated October 12, 2010, be received and filed; and

That the Commissioner of Public Works, Parks and Streets be, and he hereby is authorized to issue change order No. 1, to Valeri Concrete Construction, Inc., an increase in the amount of \$77,885.00, as more fully described in the above communication, for work relating to Curb & Sidewalk Replacement – 2010, Group #706, Contract #93000613. Funds for this project are available in a CDBG-R Account, Capital Projects Account #33311106-445100, and another account(s) to named at a future date.

Passed

TAB:rmv

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

TO: THE COMMON COUNCIL

DATE: October 12th, 2010

FROM: DEPARTMENT: Public Works, Parks & Streets

DIVISION: Engineering

SUBJECT: [Change in Contract
 [: Hickory Woods Infrastructure Improvements
 [: Curb & Sidewalk Replacement -2010, Gr. #698A
 [: P & J Construction Co., Inc.
 [: Contract #93000588

PRIOR COUNCIL REFERENCE: (IF ANY) [: c.c.p. #29 of 5/27/08, c.c.p.#13 of 9/16/008

I hereby submit to your Honorable Body the following unit price additions to the contract for the above named Project. This change order is necessary to increase unit quantities to schedule the following work:

Location of work eligible within Hickory Woods boundary as outlined in this contract.

- 1.) Payne – Folger to Hopkins
- 2.) Garvey – Folger to Hopkins
- 3.) Area bounded by South Park; Abby; Hopkins; Tiff

Contract Item	Description	Unit Price	Estimated Quantity	Estimated Cost
HR05.204	Concrete Sidewalk/4" Replacement	\$4.67/sq.ft.	14,400 sq.ft.	\$67,248.00
HR05.205	Concrete Sidewalk/5" Replacement	\$4.95/sq.ft.	7,000 sq.ft.	\$34,650.00
H12.110	Maintenance & Protection of Traffic	1/lump sum	As Necessary	\$3,000.00
H613.0101	Topsoil	\$44/cu.yd.	70 cu.yds.	\$3,080.00
H90.500	Miscellaneous Construction	1/lump sum	As Necessary	<u>\$2,022.00</u>
				\$110,000.00

Existing Contract Amount	\$ 695,042.04
Change Order #1	<u>\$110,000.00</u>
Total Contract to Date	\$ 805,042.04

Funds are available in Capital Projects Account #33311106-445100, and account(s) to be named at a later date.

I respectfully certify that this change order is fair and equitable for the work involved, and respectfully request that Your Honorable Body approve the subject change order and authorize the Commissioner of Public Works, Parks & Streets to issue said change order to P & J Construction Co., Inc.

PJM:SJS:MJZ:llf
 cc: Bill Heinhold

TYPE DEPARTMENT HEAD NAME: Peter J. Merlo, P.E.
 TYPE TITLE: City Engineer

SIGNATURE OF DEPARTMENT HEAD:



30
Mr. Fontana moved:

That the above communication from the Commissioner of Public Works, Parks and Streets dated October 12, 2010, be received and filed; and

That the Commissioner of Public Works, Parks and Streets be, and he hereby is authorized to issue change order No. 1, to P & J Construction Co., Inc., an increase in the amount of \$110,000.00, as more fully described in the above communication, for work relating to Curb & Sidewalk Replacement – 2010, Group #688A, Contract #93000588. Funds for this project are available in Capital Projects Account #33311106-445100, and another account(s) to named at a future date.

Passed

TAB:rmv

57

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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Maj - 5
2/3 - 6
3/4 - 7

58

TO: THE COMMON COUNCIL

DATE: October 27, 2010

FROM: DEPARTMENT: Public Works, Parks and Streets

DIVISION: Engineering

SUBJECT: [: Request Ordinance Amendment
 [: Chapter 479 Traffic Ordinances
 [: Reduce Speed Limit – Marine Drive
 [: between Erie Street and Commercial Street
 [: (Fillmore District)

PRIOR COUNCIL REFERENCE: (IF ANY) [:
 Ex. (Item No. xxx, C.C.P. xx/xx/xx)

The residents of the Marine Drive Apartments have made numerous requests to reduce the speed limit of Marine Drive between Erie and Commercial Streets to fifteen (15) miles per hour. Section 1643 of the New York State Vehicle and Traffic Law (V&T) states that "no such speed limit applicable on or along designated highways within such city or village shall be established at less than twenty-five miles per hour," with exceptions for highways passing schools or within city parks.

This section of Marine Drive does not meet the requirements of the V&T to allow for a fifteen mile per hour limit, as it is neither adjacent to a school nor within a park. Marine Drive is, however, adjacent to the Buffalo Naval and Servicemen's Park and has seen an increase in pedestrian activity.

In response to these requests, and in compliance with the V&T, the Traffic Engineering Division recommends that Marine Drive be posted with a twenty-five (25) mile per hour speed limit.

The Traffic Ordinances of the City of Buffalo (Chapter 479) need to be properly updated to reflect this change, therefore, I request Your Honorable Body's approval of the following amendments to the Traffic Ordinances of the City of Buffalo, Chapter 479:

1) That Subsection 3a of Section 14 of Article 1, Chapter 479 of the Code of the City of Buffalo be amended to read as follows:

Section 14. Speed regulations

(3) Maximum speed limits 15, 30, 35 & 40 MPH

(a) Thirty (30) miles per hour is hereby established as the maximum speed limit at which vehicles may proceed on or along streets or highways within this City except on streets or highways as follows:

1. Delaware Avenue between West Delavan Avenue and Amherst Street.
2. Elmwood Avenue between Hertel Avenue and Hinman Avenue.
3. Broadway between Bailey Avenue East City Line.
4. Main Street between Kenmore Avenue and the East City Line
5. East Meadow Drive between Meadow Plaza and Colvin Avenue extension
6. North Meadow Drive between Colvin Avenue extension and South Meadow Drive
7. Agassiz Circle entrance to Delaware Park between Meadow Plaza and Parkside Avenue
8. Jewett Parkway extension between East Meadow Drive and Parkside Avenue
9. Colvin Avenue extension between East Meadow Drive, North Meadow Drive and Amherst Street
10. Meadow Road extension between North Meadow Drive and Nottingham Terrace
11. South Meadow Drive between North Meadow Drive and Meadow Plaza
12. Cazenovia Parkway between Abbott Road and Cazenovia Street
13. Cazenovia Parkway entrance between Cazenovia Parkway and Seneca Street
14. King Park, north drive, south drive and west drive
15. King Park entrance between King Park, north drive and Northampton Street
16. King Park entrance between King Park, west drive/south drive and Best Street/West Parade Avenue
17. AMVETS Drive between D. A.R. Drive and Porter Avenue
18. D.A.R. Drive between AMVETS Drive and Porter Avenue

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19. Hotaling Drive between Niagara Street and Tonawanda Street
20. South Park, north drive, south drive, east drive and west drive
21. McKinley Parkway extension between South Park, east drive and South Park Avenue
22. Hopkins Street extension between South Park, north drive and Hopkins Street
23. The Front Park drive between Porter Avenue and the northwest end
24. Grover Cleveland Park drive between Main Street and the south end
25. Marine Drive between Erie Street and Commercial Street

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II) That Subsection 3e of Section 14 of Article 1, Chapter 479 of the Code of the City of Buffalo be amended to read as follows:

(e) Twenty-five (25) miles per hour is hereby established as the maximum speed at which vehicles may proceed on the following streets or highways:

1. East Meadow Drive between Meadow Plaza and Colvin Avenue extension
2. North Meadow Drive between Colvin Avenue extension and South Meadow Drive
3. Agassiz Circle entrance to Delaware Park between Meadow Plaza and Parkside Avenue
4. Jewett Parkway extension between East Meadow Drive and Parkside Avenue
5. Colvin Avenue extension between East Meadow Drive, North Meadow Drive and Amherst Street
6. Meadow Road extension between North Meadow Drive and Nottingham Terrace
7. South Meadow Drive between North Meadow Drive and Meadow Plaza
8. Marine Drive between Erie Street and Commercial Street

* [] [material to be deleted.]


* material to be added.

SJS/PJM/EDS

TYPE DEPARTMENT HEAD NAME: Peter J. Merlo, P.E.

TYPE TITLE: City Engineer

SIGNATURE OF DEPARTMENT HEAD:



(Chap 479 Speed Limit.doc)

REFERRED TO THE COMMITTEE
ON LEGISLATION.

TO: THE COMMON COUNCIL

DATE: October 26, 2010

FROM: DEPARTMENT: Public Works, Parks & Streets

DIVISION: Engineering

SUBJECT:

[: 468 Delaware Ave.

[: Steps

[: Within City Right of Way

PRIOR COUNCIL REFERENCE: (IF ANY)

n/a

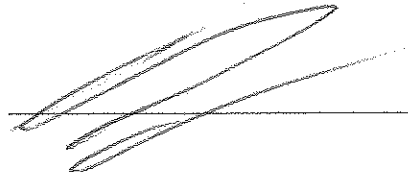
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

Mr. Richard Stanton, of the Knoer Group, has requested permission to encroach City right of way at 468 Delaware Avenue. The property owners are seeking permission to construct a three story building at this site that would include approximately 3 steps within City right of way. The steps would not be within the main public sidewalk or impede pedestrian traffic.

The Department of Public Works, Parks and Streets has reviewed this request with regards to the encroachment issue pursuant to Chapter 413, Section 67 (encroachment regulations) of the City Charter and recommends that Your Honorable Body refer this item to the Planning Board for the necessary site plan review and approval. If approved by the Planning Board and Your Honorable Body the Commissioner will issue a "Mere License" for said steps within City right of way provided the following conditions are met:

1. That the applicant obtain any and all City of Buffalo permits necessary.
2. That the steps be installed exactly as shown on plans submitted to and approved by the Department of Permit & Inspection Services.
3. That the applicant be responsible for maintenance of the steps as long as they remain within City right of way.
4. That, in the event the Commissioner of Public Works, Parks and Streets determines the encroachment must cease as a result of factors effecting the health, safety and welfare of the public, or the needs of the City, said Commissioner may order the immediate removal of the encroachment as described in Chapter 413-67 (F) of the City Charter.
5. That the applicant supply the Department of Public Works, Parks and Streets with a certificate of insurance, in an amount deemed sufficient by the Corporation Counsel, which will indemnify and save harmless the City of Buffalo against any and all loss or damage arising out of the construction, maintenance, use or removal of said steps within City right of way.

SJS:PJM:MGM:kem

TYPE DEPARTMENT HEAD NAME: Steven J. StepniakTYPE TITLE: CommissionerSIGNATURE OF DEPARTMENT HEAD:

60A

* AYE * NO *

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FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*		*	*
SMITH	*	*	*	*
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Maj - 5

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That the Communication dated October 26, 2010 from the Commissioners of Public Works, Parks and Streets is received and filed and that the Commissioner is hereby authorized to issue a "Mue license" to Richard Stanton on behalf of the Kroc Group and its agent to encroach upon the City right of way with 3 steps hereby is approved upon the conditions prescribed by the Commissioner in the above Communication.

Passed.

POSITION ALLOCATION MAINTENANCE FORM

Title *X* APPT. Assistant EngineerDepartment/Division Public Works, Parks & Streets, Division of Engineering

Start Date

10/13/10Original PR No. 2007-58Title Code No. 4030

OCT13'10 8:46 19sBCSC

Salary \$52,147 (*5th step*)Budget Function No. 13113001-411001Reason for appointment (check one) ☒ Status Change ☐ Reinstatement ☐ Replacement ☐ Extension

Type of Status Change (check one)

- ☐ From Temporary to Provisional
☐ From Temporary to Permanent
☐ From Provisional to Permanent
☒ From Contingent Permanent to Permanent
☐ Other

Type of Appointment:Classification

- ☐ Permanent
☐ Contingent Permanent
☐ Provisional
☐ Temporary
☐ Seasonal

- ☐ Exempt
☐ Competitive
☐ Non-Competitive

Comments: _____Employee Information:

Name	Thomas Duk	SS#	7863
Address	56 Shenadoah Rd.	DOB	
City	Buffalo	State	New York
		Zip Code	14220

<i>William Heindel</i>	<u>9/29/10</u>
Signature of Appointing Authority <i>for:</i>	Date
<i>Commissioner of Public Works</i>	
<i>Donna Ester</i>	<u>9/30/10</u>
Signature of Director of Budget	Date
<i>Oliver Heindel</i>	<u>10/13/10</u>
Signature of Adm. Director of Civil Service	Date

REFERRED TO THE COMMITTEE
ON CIVIL SERVICE.

Send original copy signed by Dept. Head to Budget

Send or e-mail Civil Service a copy

When approved copy is returned, send a copy to Audit along with file maintenance form, City Clerk and Budget

21

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

10/18/10

in the Department of

Public Works

Division of

Water

to the Position of

Dispatcher

Permanent, Provisional, Temporary, Seasonal (Insert one)

PERMANENT

Appointment, Promotion, Non-Competitive (Insert one)

PROMOTION

Minimum, Intermediate, Maximum, Flat (Insert one)

FOURTH STEP

(Enter Starting Salary) : Starting Salary of:

\$39,101

LAST JOB TITLE **Machine Operator**LAST DEPARTMENT **DPW**LAST SALARY **\$37,756**DATE **10/10**

NAME

Michael Gugino

ADDRESS

171 Nicholson St.

CITY & ZIP

Buffalo, NY 14216LAST 4 DIGITS OF SSN. **XXX-XX-7916**

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY & ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

53003721

BUDGET ACCT. OBJ.

411001 PROJ. ID

SALARY RANGE OF POSITION

\$24,184-\$40,306

TITLE CODE NO

532W

PERSONNEL REQ. NO

2010-50

PER YEAR DAY HOUR

YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING. AUTHORITY:

Commissioner

DATE:

10/8/10

SIGNATURE OF APPOINTING AUTHORITY:

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

63

FROM THE COMMISSIONER OF POLICE

November 3, 2010

TO: THE COMMON COUNCIL: DATE: November 1, 2010

FROM: DEPARTMENT: Buffalo Police Department

DIVISION: Grants

SUBJECT: [Permission To Accept Various Grants Awarded To
Department Listed Below And Approval For Appropriate
Interfund Cash Loans]

ENTER PRIOR COUNCIL REFERENCE: (IF ANY)

Example (Item No.xx C.C.P. xx/xx/xx)

TEXT: (TYPE SINGLE SPACE BELOW)

As you are aware, the Buffalo Police Department continues to be successful in securing grant funding through various sources. We have received official verification and confirmation from the County, State and Federal Governments as to these awards. We have been notified by the New York State Division of Criminal Justice Services, that based on Chapter 313, Laws of 2010, (the federal Medicaid Assistance Program (FMAP) Contingency Allocation Plan) the Governor and the Legislature authorized 1.1% local assistance reductions against all unspent General Fund & Special Revenue local assistance funds based on projected cash disbursements for the remainder of SFY 2010-11. There will be a reduction against all awards with a cash balance moving forward on our DCJS grants in order to balance the difference of what the state actually received for the FMAP. Accordingly, appropriations will be reduced as the State is invoking the Executory Clause in Appendix A of our contract which prohibits contracting beyond the funds appropriated. Therefore, as of September 16th (we were notified October 20th), all vouchers processed during SFY 2010-11, for affected contracts, will be reduced to accommodate the reduction to the state appropriation, by the 1.1%. We also had a recent visit from one of our State Grant Program Representatives, who advised us that it is 1.1% now, but that we must keep on top of our reimbursement requests. Also, we do not know how these grants will be affected after the gubernatorial election and we want to try and at least safeguard our current situation.

Therefore, in order to keep within the practices of our grant processing, especially in this time of critical need for funds, we are asking permission from your Honorable Body and Buffalo's Fiscal Stability Authority for the Mayor to enter into the contracts listed below. In addition, we are also requesting, as is our standard practice, that your Honorable Body authorize the Comptroller to provide for an interfund cash loan for all non-personnel expenses until such reimbursements are secured by the funding source (County, State, "Feds"). We have listed the amounts under each identified grant and each loan would then be repaid as the reimbursements are sent to the City under the individual grant programs.

As you also know, the grant process often involves delayed information, budgets, and contracts at these government levels, often times beyond the City's control, and therefore creates a pressing situation for the processing of the required paperwork. Some of these grants involve personnel expenses, equipment, etc. and it is imperative that we spend out the funding prior to the end of the grant's fiscal year, and in most cases, because of the lengthy processing, we are constantly faced with time constraints, and now this latest tactic by the State, therefore, we would appreciate your approval at the November 3rd meeting due to this critical matter.

22AA
27

64A

TEXT CONTINUATION: (TYPE SINGLE SPACE BELOW)

NYS MOTOR VEHICLE THEFT/INSURANCE FRAUD PREVENTION GRANT

We are asking for authorization for the Mayor to enter into a renewal agreement between the City of Buffalo and the Department of Criminal Justice Services under the State's Motor Vehicle Theft and Insurance Fraud Prevention Program for the period 01-01-11 through 12-31-11. The grant award will be a maximum of awarded \$116,700 and the expenditures under this grant project will cover reimbursement for a Detective's position as it relates to the incidence of automobile thefts and correlated crimes (including overtime, if applicable), training expenses, and an equipment expense (air card service). We are requesting an interfund cash loan for all non-personnel expenditures (training/equipment expenditures pertinent to this initiative) until such reimbursement is secured from the State. The loan would then be repaid as the reimbursements are sent to the City from the State under this grant project. There is no City Match involved with this grant.

OPERATION IMPACT VII - The Buffalo Police Department is respectfully asking for authorization for the City to accept funds, totaling \$649,426, from the NYS Division of Criminal Justice Services as part of Operation Impact Year 7 covering the grant period of 7/1/10 through 6/30/11. Operation Impact is part of a comprehensive strategy in New York State to reduce violent crime involving gangs, guns and drugs through integrated anti-crime teams. Buffalo's strategy includes coordination with federal (ATF, FBI, DEA, US Marshal) state (NYS Police) and local law enforcement (Buffalo Police, Erie Co. Sheriff Dept, Central Police Services, NFTA, Housing) as well as Probation, Parole, the US Attorney's Office, and the District Attorney's Office.

Again this year, awards were competitive throughout NY State, and also, the State will reimburse the City of Buffalo directly for the \$649,426; there is no match associated with this grant. The funding award will be utilized for reimbursing a Violent Felony Task Force Detective's Salary/Fringes; 1 Report Technician Salaries/Fringes; the Salary/Fringes of (2) Crime Analysts, including one assigned to the Violent IMPACT Felony Task Force; Overtime for Tactical/Strategic/Planning Operations and Directed Patrol in City neighborhoods; Domestic Violence orders of protection/sex offender registration; community service projects (St Brigid/Columba, Police Explorers, OMEGA Youth Mentoring, Emslie YMCA) to work with young people fostering positive activities that deal with the myriad of problems they face with an emphasis on self-love, self-knowledge, self-development and responsible citizenship; Equipment that includes Display Signage and Accompanying Hardware for MRU, Narcotics and Detective Division, Live Finger Print Scan Machine, Color Printers/Cartridges for District Station Houses/MRU/Housing Units, Computer for Gang Liaison Officer; also, training and staff development funding; utility services for the air cards within patrol vehicles for tracs system.

OPERATION PROTECT KIDS (CIGARETTE GRANT) - We anticipate the annual renewal of this grant as awarded to the County of Erie under the New York State Department of Health's Youth Tobacco Enforcement and Prevention Grant; this initiative will run through September 30, 2011. Under this renewal agreement, the County will reimburse the City of Buffalo a minimum of \$45.00 for every completed compliance check of merchants who sell tobacco products. Using underage operatives as decoys, compliance checks have been conducted to see if active enforcement of New York State Public Health Laws reduces the availability of tobacco products to

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TEXT CONTINUATION: (TYPE SINGLE SPACE BELOW)

children. Another focus of this project has been to educate local business owners with licenses to sell tobacco products as to the law, and how this law must be enforced. Merchants who have been found violating this law and allowed the operative to purchase tobacco products, are to be subjected to penalties imposed by the Health Department, which may include fines. The City of Buffalo will receive 50% of any fines levied in order to continue the efforts to reduce tobacco sales to minors.

2010 BULLET PROOF VEST REIMBURSEMENT - Through its Department of Police, the City is entitled to receive up to 50% reimbursement of \$61,896.44, for the authorized purchase of bullet proof vests that comply with the requirements of the Office of Justice Programs' National Institute of Justice. Reimbursement is handled online and the City will receive a direct payment once proper reimbursement steps are electronically initiated.

URBAN AREA SECURITY INITIATIVE (UASI) YEAR 8/2010 FUNDING

As you are aware, the City of Buffalo, County of Erie, and Niagara County have been awarded grant funds for an 8th year (2010 funds) under the Urban Area Security Initiative(UASI) from the US Department of Homeland Security for urban area security and homeland preparedness, totaling \$5,544,750. Because of its high rating last year, we again did well, and the Fed's did not cut our award as is what happened to others across the County, they kept ours the same (they were either going to remain the same or be cut for UASI Tier 11 cities). The City of Buffalo's share of funding is a total of \$1,942,880; the County's share is \$1,627,939; Niagara County's share is \$846,981, and New York State receives 20%, or \$1,108,950. This year, 26.6% of the funds must be designated for law enforcement, which has been met by the City through our 1st responder communications efforts.

Buffalo's share of these grant dollars will continue to fund (2) positions for the City's overall homeland security coordination and fiscal compliance, interoperable communications equipment for both Police/Fire to complete the radio system upgrade as well as funds to enhance the mobile data of first, citizen preparedness activities and training, security equipment upgrades (urban/search rescue team equipment, fireboat equipment), overtime funds for critical infrastructure protective operations, critical infrastructure reinforcement within City facilities as well as crisis management, perimeter control ("hot zone") training and fit testing (masks) for 1st responders, training/exercise funds supporting national priorities as well as joint multi-discipline efforts, including HAZMat, and staff development and instructional funding to attend mandatory homeland security training. Again, we are asking for permission for the City to accept this award, and also, authorization for an interfund cash loan covering all non-personnel expenditures should the need arise. The loan would then be repaid as the reimbursement is sent from the State under this special initiative. This particular grant application process has been very long and bureaucratic with the State and the processing of this grant information has been difficult due to the complexity of the different entities involved, the fact that the City now has four (4) UASI grants running simultaneously, the way the Federal government has set-up this process.

64c

TEXT CONTINUATION: (TYPE SINGLE SPACE BELOW)

2010 COPS TECHNOLOGY GRANTS (\$600,000) - Due to the diligent efforts of City management working closely with our State and Federal leaders in asking for 2010 federal ear-marked appropriations, the City of Buffalo Police Department has been the fortunate recipient another COPS Technology Grant. Buffalo's version of the New York State Traffic and Criminal Software System (TraCS) for in-car reporting includes automated traffic summonses and accident reports, crime reports, electronic mug shots, and electronic streaming video from our city-wide wireless camera system, which rely on commercial air cards. Commercial air cards, in a metropolitan area such as Buffalo, often have weak or no connectivity in some areas. The installation of WI-FI will consistently and efficiently get TRACS data to and from police vehicles, and also, bolsters the opportunity for free internet access to low income residents. With the installation of WI-FI, and the purchase of additional mobile computer terminals (MCT), this technology will complement the BPD's in-car reporting capacity, and also, ensure reliable and consistent connectivity for getting the data to and from police vehicles as part of the TraCS process.

BUFFER ZONE PROTECTION INITIATIVE (\$152,105) - As part of the US Department of Homeland Security's many initiatives, the City of Buffalo, through its Police and Fire Departments are part of the 2009 Buffer Zone Initiative as designed by the State's Division of Homeland Security and Emergency Services. The Police Department has the potential for a total funding award of \$152,105 to be utilized to purchase equipment to enhance protective security measures and infrastructure protection for the (2) Police Districts that protect the Peace Bridge ("B" District) and the International Railroad Bridge ("D" District). These key assets and critical infrastructures have been identified by New York State in working with the Federal Department of Homeland Security as meeting the federal definition of "Critical Infrastructures," through the Weapons and Mass Destruction Buffer Zone Protection Plan. The funding can be utilized for authorized equipment purchases only. The grant period will cover between twenty-four and thirty-six months and there is no City match involved with this grant initiative. The premise behind this particular initiative is to support outside perimeter protection of identified critical infrastructures/key assets by developing effective protective measures that make it more difficult for terrorists to conduct surveillance or launch attacks within the immediate vicinity of high priority potential targets. We are requesting an interfund cash loan for all non-personnel expenditures (equipment expenditures pertinent to this initiative) should the need arise until such reimbursement is secured from the State. The loan would then be repaid as the reimbursements are sent to the City from the State under this grant project.

POLICE REIMBURSEMENTS - Also, for your information, the Buffalo Police Department will be securing reimbursement from the DEA for overtime worked by 3 dedicated Detectives assigned there, along with another assigned to the Upstate Diversionary Task Force (approximately \$68,809) working on major drug cases, along with reimbursement from the FBI for any overtime worked by the Detectives assigned to the Joint Terrorism Task Force, the Safe Streets Task Force, and the Cyber Task Force, which to date, will not exceed an additional \$86,011. We will also secure reimbursement from the US Marshal's Office for their "rolling thunder" search warrant executions; amount varies annually. In addition, this year, we will continue to have Detectives assigned to the US Marshal's Violent Felony Warrant Squad and will be reimbursed up to a maximum of \$32,000 for overtime expenditures; along with reimbursements coming from our Department's participation at US Customs (approximately \$15,000); Regional Crime Forensics Lab (maximum of \$17,202); High Intensity Drug Traffic Areas (maximum of 17,202); New York State Police "Spider" Operations and Immigration/Border Patrol Operations, including

TEXT CONTINUATION: (TYPE SINGLE SPACE BELOW)

Organized Crime Drug Enforcement Task Force Operations with both the DEA and FBI (amount varies annually); and Police Lifesaver Patrols (approximately \$5,000).

In addition, Buffalo Police will be reimbursed under New York State's Division of Criminal Justice discretionary member items (usually around \$10,000).

Again, we are asking for permission for the Mayor to accept all of this funding, and in addition, and where applicable, authorization for an inter-fund cash loan covering all non-personnel expenditures should the need arise.

We try to secure all the required grant information in a timely manner, however, the reality is this is not always possible, especially, in this instance since we have just been notified about the "state of the State's" fiscal situation, and as a result, we find ourselves in a position of having to follow courses of action, such as this request, extremely quickly in order to follow up on processing grants under our own governmental procedures. We need your immediate approval due to the various timetables, and also, we hope to present this to the Control Board at their next meeting, which we cannot do until we secure your approval.

If you have any questions or require further clarification of the above, please contact Captain Mark Makowski at 851-5643 or Grant Coordinator Maureen Oakley at 716 851-4475.

Thank you for your immediate attention to the above.

DD:mao

TYPE DEPARTMENT HEAD NAME: Daniel Derenda

TYPE TITLE: Commissioner of Police

SIGNATURE OF DEPARTMENT HEAD: 

64E

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8	0	*
	*	*	*	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

That the Communication dated November 1, 2010 from the Commissioner of Police is hereby ~~received~~ received and filed and the Mayor and the Police Commissioner are hereby authorized to accept all of the above listed grant funding and to make appropriate Anticipated Cash Loans as presented herein provided that any contracts executed for the disbursement of grant funding be presented to this Honorable Body for further approval. Passed.

65

FROM THE COMMISSIONER OF FIRE

November 3, 2010

25

66

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL:
DATE: October 28, 2010

FROM: DEPARTMENT: 21 - Fire

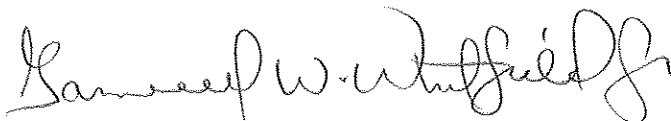
SUBJECT: [:Mass Casualty Supply Vehicle
[:
[:
[:

PRIOR COUNCIL REFERENCE: (IF ANY)
Ex. (Item No. xxx, C.C.P. xx/xx/xx)

Please be advised that the above-referenced vehicle is a support vehicle for our Mass Casualty Response System. It will be used as a supply/"chase" vehicle in tandem with our Mass Casualty Bus. This bus is an Advanced Life Support (ALS) vehicle capable of transporting up to fourteen (14) stretchered/supine patients or up to 20 or more "walking wounded."

Due to the tremendous amount of equipment carried on the "bus" and the number of patients it will service, we will need this vehicle to ensure adequate supplies and equipment are immediately available.

This vehicle was approved for purchase by DHS with funds from the Metropolitan Medical Response System (MMRS) Grant. It can be used only for the above-stated purpose(s) and will not be assigned to an individual or used for a take home vehicle. As we currently do not have a vehicle of this type, this will be an addition to our fleet.



SIGNATURE
DEPARTMENT HEAD TITLE : Garnell W. Whitfield, Jr., Commissioner of Fire

GWW/sa

22A
R7

66A

	* AYE * NO *			
				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

That the Communication dated October 28, 2010 by the Commissioner of Fire be received and filed and the Commissioner is hereby authorized to purchase and Advanced Life Support (ALS) as approved for purchase by the Dept of Homeland Security with funds from the Metropolitan Medical Response System (MMRS) Grant provided that it not be assigned or authorized for take home use.

Passed.

67

FROM THE COMMISSIONER OF ECONOMIC DEVELOPMENT AND PERMIT &
INSPECTION SERVICES

November 3, 2010

00026

To: The Common Council:

Date: October 27, 2010

68

From: Department Permit & Inspection Services

Division: Office of Licenses

Subject: [: **Food Store (New)**
[: **2887 Bailey(University)**

| Type in Upper and |
| Lower Case Only |

[:
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

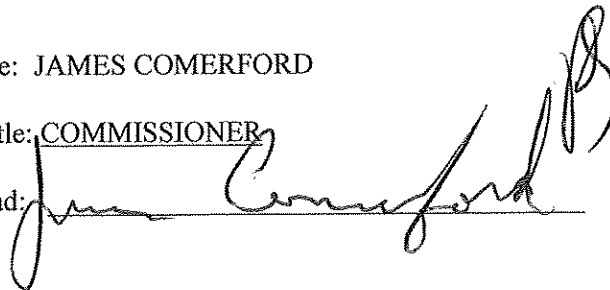
Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **2887 Bailey (Big Daddy Food & Supply Market/Saif Obad)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORD

Type Title: COMMISSIONER

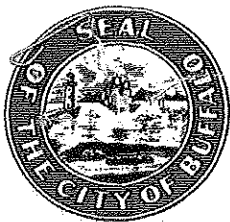
Signature of Department Head:

JC:PS:rf



REFERRED TO THE COMMITTEE
ON LEGISLATION.

23



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: BIG DADDY FOOD & SUPPLY MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 2887 BAILEY
BUSINESS PHONE: (716) 831-1267
COUNCIL DISTRICT:
POLICE DISTRICT:
APPLICANT NAME: SAIF OBAD
APPL. PHONE: (716) 994-7119
APPLICATION NUMBER: 558771
REFERRAL DATE:

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10/25/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: PER INSPECTION

INSPECTOR V. FERRARACIO RM# EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: BIG DADDY FOOD & SUPPLY MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 2887 BAILEY

BUSINESS PHONE: (716) 831-1267

COUNCIL DISTRICT:

POLICE DISTRICT:

APPLICANT NAME: SAIF OBAD

APPL. PHONE: (716) 994-7119

APPLICATION NUMBER: 558771

REFERRAL DATE: 06/25/2010

REMARKS:

2ND REQUEST

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8-12-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

Needs RTO License also

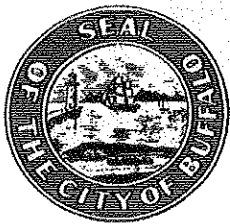
INSPECTOR

St. Hakes

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: BIG DADDY FOOD & SUPPLIES MARKET

LICENSE TYPE: FOOD STORE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 2887 BAILEY

BUSINESS PHONE: 570-3840

COUNCIL DISTRICT: UN

POLICE DISTRICT:

APPLICANT NAME: SADI MOHAMED

APPL. PHONE: 570-3840

APPLICATION NUMBER: 544266

REFERRAL DATE:

REMARKS: SEE IF RTO IS NEEDED

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-25-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

NEEDS RTO/Change of use

INSPECTOR

[Signature]

RM#

204

EXT

5407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

73

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: BIG DADDY FOOD & SUPPLY MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 2887 BAILEY
BUSINESS PHONE: (716) 831-1267
COUNCIL DISTRICT:
POLICE DISTRICT:
APPLICANT NAME: SAIF OBAD
APPL. PHONE: (716) 994-7119
APPLICATION NUMBER: 558771
REFERRAL DATE:

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 7/06/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: NO DEBT

INSPECTOR PATRICK IRWIN RM# 113 EXT 851-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

Department Of Economic Development, Permit & Inspection Services

Office Of Licenses 313 City Hall Buffalo, NY 14202

Phone: (716) 851-4078

FAX (716) 851-4952

558771
14

LICENSE APPLICATION: Please check the category you are applying for

☐ Restaurant ☒ Food Store ☐ Bakery/Confectioner
☐ Restaurant Take-Out ☐ Meat, Fish, & Poultry ☐ Caterer

Date June 22 20 16

Applicant Name Mohamed A. Saif Obad Home Phone 716 994-7119

Applicant Address 2884 Bailey Ave. Buffalo NY 14215
 Number and Street City State ZIP

Co-Applicant Name _____

Co Applicant Address _____
 Number and Street City State ZIP

Corporation Name _____ Date Incorporated _____

Business Name Big Daddy Food & Supply Market Business Phone (716) 831-1267

Business Address 2887 Bailey Ave. Buffalo NY 14215
 Number and Street City State ZIP

Date - Business Certificate _____ Social Security # _____

FAX# () _____ State Tax ID # _____

Mailing Address _____
 (if different from business) Number and Street City State ZIP

Number of employees (Baker /Confectioner only) _____

FEES

Restaurant	0-200 seats....	\$174.00
	201-400 seats....	\$250.00
	400+ seats....	\$250.00
Restaurant Takeout.....		\$ 88.00
Catering.....		\$ 88.00
Food Store		\$115.00
Meat, Fish & Poultry (2 yrs)		\$150.00
Baker/	0-2 employees ..	\$ 63.00
Confectionery	3/10 employees ..	\$105.00
	11-25 employees ..	\$157.00
	26-50 employees...	\$315.00
	51-200 employees ..	\$525.00

Mohamed A. Saif Obad
 Applicant Signature

Mohamed A. Saif Obad
 Print Name

Subscribed and sworn to before me this 21 day of June, 2016

 Commissioner of Deeds in and for the
 City of Buffalo, New York

Nagi A. Awass
 Notary Public
 State of New York
 County of Erie

My Commission Expires June 26, 2011

To: The Common Council:

Date: October 27, 2010

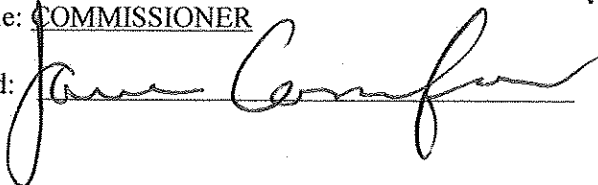
From: Department Permit & Inspection ServicesDivision: Office of LicensesSubject: [: Food Store (New)
[: 1358 Boradway (Fillmore)Type in Upper and
Lower Case Only[:
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **1358 Broadway (Broadway Mart & Deli/Alie Hassan)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORDType Title: COMMISSIONERSignature of Department Head:

JC:PS:rf

REFERRED TO THE COMMITTEE
ON LEGISLATION.

24



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: BROADWAY MART & DELI

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1358 BROADWAY

BUSINESS PHONE: -

COUNCIL DISTRICT: FI

POLICE DISTRICT: 11

APPLICANT NAME: ALIE HASSAN

APPL. PHONE: 716-9487

APPLICATION NUMBER: 559700

REFERRAL DATE: 09/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-13-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

Fingl Walk Thru

INSPECTOR

RM#

3001

EXT

S407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: BROADWAY MART & DELI

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1358 BROADWAY
BUSINESS PHONE: -
COUNCIL DISTRICT: FI
POLICE DISTRICT: 11
APPLICANT NAME: ALIE HASSAN
APPL. PHONE: 716-9487
APPLICATION NUMBER: 559700
REFERRAL DATE: 09/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE:

9-20-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: BROADWAY MART & DELI

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1358 BROADWAY

BUSINESS PHONE: -

COUNCIL DISTRICT: FI

POLICE DISTRICT: 11

APPLICANT NAME: ALIE HASSAN

APPL. PHONE: 716-9487

APPLICATION NUMBER: 559700

REFERRAL DATE: 09/01/2010

REMARKS:

DISAPPROVAL REASON: MUST PAY WATER BILL

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/14/10

DISAPPROVED

DATE: _____

DISAPPROVAL
CALL BACK

DATE: _____

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: NO DEBT

INSPECTOR PATRICK IRWIN RM# 117 EXT 851-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO - LICENSE APPLICATION

65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202

Phone (715) 851-4078 Fax (716) 851-4952

All information on this form is public record.

☐ Mail

☐ Walk-in

Type of Entity:

☒ Sole Proprietor

☐ Corporation

☐ Partnership

☐ Limited Liability Company

☐ Restaurant fee
1-200 seats \$174.00
201-400 seats \$250.00
400+ seats \$350.00
(on premise consumption of food and/or beverage)

☐ Certificate of Inspection \$56.00
(Public Assembly) Restaurant 50+ seats

☐ Coin Control Amusement
games ___ per game \$47.25

☐ Arcade # games ___ per game \$47.25

☐ Music mechanical \$52.50

☐ Music live, no dancing \$52.50

☐ News Stand \$63.00

☐ Restaurant Dance fee
Floor Show \$367.50
Live Music \$210.00
Mechanical \$131.25

☐ Public Dance (based on sq ft)

☐ GoGo Dancing \$131.25

☐ Skating Rink \$210.00

☐ Bowling Alley per lane \$31.50
lanes ___

☐ Billiard Parlor per table \$31.50
tables ___

☐ Restaurant Take Out \$ 88.00

☒ Food Store \$115.00
See additional questions.

☐ Meat Fish Poultry \$150.00

☐ Caterer \$ 88.00

☐ Bakery

☐ 0-2 employees \$ 63.00

☐ 3-10 employees \$105.00

☐ 11-15 employees \$157.00

☐ 26-50 employees \$315.00

☐ 51-200 employees \$525.00

Corporation Name

Broadway Mart & Deli

Business Phone (716) 896-1326

Business Name (dba)

Broadway Mart & Deli

Business Fax ()

Business Address (no PO Box) 1358 Broadway St Buffalo NY, 14212

Mailing Address (if different)

NYS Tax ID # Business Website E-Mail

Owner(s)/ Principal Partners

Applicant (last, first)

Home Phone 716 896 1326

Home Address: (PO Box not acceptable) 1358 Broadway St

Date of birth [REDACTED] Place of Birth Uganda

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth Place of Birth

Describe your specific business activity in detail.

Subscribed and sworn to before me
this 3 day of Nov. 20 10

[Signature]
Commissioner of Deeds in and for the
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.

Initial

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

T&A

Application No

Date issued:

Print Name Alicia Wasson

Signature Alicia Wasson

Date 3/9/2010

To: The Common Council:

Date: October 27, 2010

From: Department Permit & Inspection ServicesDivision: Office of LicensesSubject: [: Food Store (New)
[: 1635 Genesee(Fillmore)| Type in Upper and |
| Lower Case Only |[:
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **1635 Genesee (The Island Food Mart/Ahmed Ayash)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORDType Title: COMMISSIONERSignature of Department Head:

JC:PS:rf

REFERRED TO THE COMMITTEE
ON LEGISLATION.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

86

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: THE ISLAND FOOD MART

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1635 GENESEE
BUSINESS PHONE: (716) 896-0013
COUNCIL DISTRICT: FI
POLICE DISTRICT: 00
APPLICANT NAME: AHMED AYASH
APPL. PHONE: () -
APPLICATION NUMBER: 559480
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-27-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

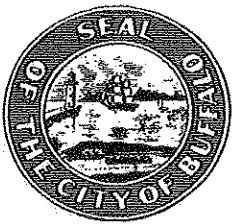
RM#

304

EXT

8-704

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

84

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: THE ISLAND FOOD MART

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1635 GENESEE
BUSINESS PHONE: (716) 896-0013
COUNCIL DISTRICT: FI
POLICE DISTRICT: 00
APPLICANT NAME: AHMED AYASH
APPL. PHONE: () -
APPLICATION NUMBER: 559480
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE:

10/13/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

LT. J. Gubaler

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: THE ISLAND FOOD MART

DJIN EATE
602 7080/
License ?
roof ? Permit
Renew under
Raya ?

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1635 GENESEE
BUSINESS PHONE: (716) 896-0013
COUNCIL DISTRICT: F1
POLICE DISTRICT: 00
APPLICANT NAME: AHMED AYASH
APPL. PHONE: 0 -
APPLICATION NUMBER: 559480
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 8-30-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

Final Walk Thru

INSPECTOR

[Signature]

RM# 304

EXT

3407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: THE ISLAND FOOD MART

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1635 GENESEE
BUSINESS PHONE: (716) 896-0013
COUNCIL DISTRICT: FI
POLICE DISTRICT: 00
APPLICANT NAME: AHMED AYASH
APPL. PHONE: () -
APPLICATION NUMBER: 559480
REFERRAL DATE: 08/13/2010

REMARKS:

DISAPPROVAL REASON: MUST PAY TAX & USER FEE BILLS

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/13/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: NO DEBT

INSPECTOR

PATRICK IRWIN

RM# 113

EXT

857-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO - LICENSE APPLICATION

65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202

Phone (715) 851-4078 Fax (716) 851-4952

All information on this form is public record. ☐ Mail ☐ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

- | | | | | | | |
|--|---------------|--------------|--|----------|--|--------------|
| <input type="checkbox"/> Restaurant | 1-200 seats | fee \$174.00 | <input type="checkbox"/> Restaurant Dance | fee | <input type="checkbox"/> Restaurant Take Out | fee \$ 88.00 |
| <input type="checkbox"/> | 201-400 seats | \$250.00 | <input type="checkbox"/> Floor Show | \$367.50 | <input checked="" type="checkbox"/> Food Store | \$115.00 |
| <input type="checkbox"/> | 400+ seats | \$350.00 | <input type="checkbox"/> Live Music | \$210.00 | See additional questions. | |
| (on premise consumption of food and/or beverage) | | | <input type="checkbox"/> Mechanical | \$131.25 | <input type="checkbox"/> Meat Fish Poultry | \$150.00 |
| <input type="checkbox"/> Certificate of Inspection | | \$56.00 | <input type="checkbox"/> Public Dance (based on sq ft) | | <input type="checkbox"/> Caterer | \$ 88.00 |
| (Public Assembly) Restaurant 50+ seats | | | <input type="checkbox"/> GoGo Dancing | \$131.25 | <input type="checkbox"/> Bakery | |
| <input type="checkbox"/> Coin Control Amusement | | | <input type="checkbox"/> Skating Rink | \$210.00 | <input type="checkbox"/> 0-2 employees | \$ 63.00 |
| # games | per game | \$47.25 | <input type="checkbox"/> Bowling Alley per lane | \$31.50 | <input type="checkbox"/> 3-10 employees | \$105.00 |
| <input type="checkbox"/> Arcade # games | per game | \$47.25 | # lanes | | <input type="checkbox"/> 11-15 employees | \$157.00 |
| <input type="checkbox"/> Music mechanical | | \$52.50 | <input type="checkbox"/> Billiard Parlor per table | \$31.50 | <input type="checkbox"/> 26-50 employees | \$315.00 |
| <input type="checkbox"/> Music live, no dancing | | \$52.50 | # tables | | <input type="checkbox"/> 51-200 employees | \$525.00 |
| <input type="checkbox"/> News Stand | | \$63.00 | | | | |

Corporation Name _____ Business Phone (716) 8960013

Business Name (dba) Ahmed M AYASH Business Fax () _____

Business Address (no PO Box) 1635 GENESEE ST BUFFALO NY 14211

Mailing Address (if different) THE ISLAND - FOOD MART - 1635 GENESEE ST

NYS Tax ID # TE-4115947 Business Website _____ E-Mail _____

Owner(s)/ Principal Partners

Applicant (last, first) AYASH Ahmed Home Phone _____

Home Address: (PO Box not acceptable) 58 MONTANA AVE BUFFALO NY 14211

Date of birth [REDACTED] Place of Birth YEMEN

Co-Applicant (last, first) _____ Home Phone _____

Home Address: (PO Box not acceptable) _____

Date of birth _____ Place of Birth _____

Describe your specific business activity in detail. _____

Subscribed and sworn to before me this 11 day of Aug 2010

Anthony Perry
Commissioner of Deeds in and for the
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business. Initial _____

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

T&A
Application No 559480
Date issued: _____

Print Name Ahmed M. AYASH

Signature [Signature]

Date 8-11-10

To: The Common Council:

Date: October 27, 2010

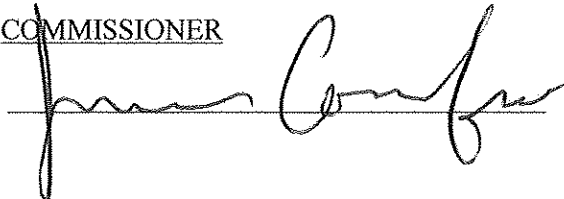
From: Department Permit & Inspection ServicesDivision: Office of LicensesSubject: [: Food Store (New)
[: 68 Grant(Niagara)| Type in Upper and |
| Lower Case Only |[:
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Text (Type Single Space Below):

Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **68 Grant (Shaker's Nice Price Market/Samer Alasri)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORDType Title: COMMISSIONERSignature of Department Head:

JC:PS:rf



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: SHAKER'S NICE PRICE MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 68 GRANT

BUSINESS PHONE: -

COUNCIL DISTRICT: NI

POLICE DISTRICT: 05

APPLICANT NAME: SAMER ALASRI

APPL. PHONE: 716-9073

APPLICATION NUMBER: 559755

REFERRAL DATE: 09/08/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-9-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: SHAKER'S NICE PRICE MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 68 GRANT
BUSINESS PHONE: -
COUNCIL DISTRICT: NI
POLICE DISTRICT: 05
APPLICANT NAME: SAMER ALASRI
APPL. PHONE: 716-9073
APPLICATION NUMBER: 559755
REFERRAL DATE: 09/07/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-23-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR LT. POZKALSKI RM# EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO

OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: SHAKER'S NICE PRICE MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 68 GRANT

BUSINESS PHONE: -

COUNCIL DISTRICT: NI

POLICE DISTRICT: 05

APPLICANT NAME: SAMER ALASRI

APPL. PHONE: ~~716-9073~~

APPLICATION NUMBER: 559755

REFERRAL DATE: 09/08/2010

907-3671

397-056-143
ALASRI, Samer, m
280 Hampshire 14213 3-7-86

REMARKS:

DISAPPROVAL REASON: MUST CALL FOR APPOINTMENT

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-6-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

RM#

304

EXT

5407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: SHAKER'S NICE PRICE MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 68 GRANT
BUSINESS PHONE: -
COUNCIL DISTRICT: NI
POLICE DISTRICT: 05
APPLICANT NAME: SAMER ALASRI
APPL. PHONE: 716-9073
APPLICATION NUMBER: 559755
REFERRAL DATE: 09/07/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/14/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: NO DEBT

INSPECTOR

PATRICK IRWIN

RM#

113

EXT

851-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO - LICENSE APPLICATION

65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202

Phone (716) 851-4078 Fax (716) 851-4952

All information on this form is public record.

☐ Mail

☐ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

☐ Restaurant 1-200 seats fee \$174.00
☐ 201-400 seats \$250.00
☐ 400+ seats \$350.00
(on premise consumption of food and/or beverage)

☐ Certificate of Inspection \$56.00
(Public Assembly) Restaurant 50+ seats

☐ Coin Control Amusement
games ___ per game \$47.25

☐ Arcade # games ___ per game \$47.25

☐ Music mechanical \$52.50

☐ Music live, no dancing \$52.50

☐ News Stand \$63.00

☐ Restaurant Dance fee
☐ Floor Show \$367.50
☐ Live Music \$210.00
☐ Mechanical \$131.25

☐ Public Dance (based on sq ft)

☐ GoGo Dancing \$131.25

☐ Skating Rink \$210.00

☐ Bowling Alley per lane \$31.50
lanes ___

☐ Billiard Parlor per table \$31.50
tables ___

☐ Restaurant Take Out \$ 88.00

☒ Food Store \$115.00
See additional questions.

☒ Meat Fish Poultry \$150.00

☐ Caterer \$ 88.00

☐ Bakery

☐ 0-2 employees \$ 63.00

☐ 3-10 employees \$105.00

☐ 11-15 employees \$157.00

☐ 26-50 employees \$315.00

☐ 51-200 employees \$525.00

Corporation Name

Business Phone () -

Business Name (dba) Shaker's Nice Price Market

Business Fax () -

Business Address (no PO Box) 68 Grant St. Buffalo, NY 14213

Mailing Address (if different)

NYS Tax ID #

Business Website

E-Mail Please call first

Owner(s)/ Principal Partners

Applicant (last, first) Samer M. Alasri

Home Phone (716) 907-3671

Home Address: (PO Box not acceptable) 250 Hampshire St. Buffalo, NY 14213

Date of birth [REDACTED] Place of Birth Yemen

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth Place of Birth

Describe your specific business activity in detail. Grocery store and Meat & poultry store.

Nagi A. Awass
Notary Public
State of New York
County of Erie
My Commission Expires June 26, 2010
Subscribed and sworn to before me
day of Sept 2010
Commissioner of Deeds in and for the
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.

Initial

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

T&A

For office use only

Application No 559753
Date issued: 559756

Print Name Samer M. Alasri

Signature Samer Alasri's

Date

96
Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services dated October 27, 2010, be received and filed; and

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspection Services be, and he hereby is authorized to grant a Food Store License to Samer Alasri, d/b/a Shaker's Nice Price Market, located at 68 Grant.

Passed

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

*	*	*
*	8	*
*	*	*
*	*	*

Maj - 5
2/3 - 6
3/4 - 7

30

98

To: The Common Council:

Date: October 27, 2010

From: Department Permit & Inspection Services

Division: Office of Licenses

Subject: [: Food Store (New)
[: 1989 Niagara (Niagara)

| Type in Upper and |
| Lower Case Only |

[:
[:

Prior Council Reference: (If Any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

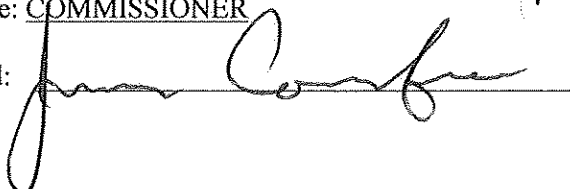
Text (Type Single Space Below):

Pursuant to Chapter 194 of the City of Buffalo Ordinances, please be advised that I have examined the attached application for a Food Store License located at **1989 Niagara (Sun Food Market/Stephanie Lin)** and find that as to form is correct. I have caused an investigation into the premises for which said application for a food store license is being sought and according to the attached reports from the Zoning Office, Fire Department, Building Inspections, Police Department and Collection Office I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: JAMES COMERFORD

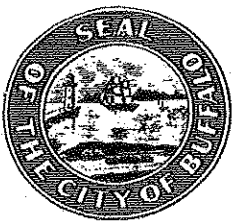
Type Title: COMMISSIONER

Signature of Department Head:



JC:PS:rf

27



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

99

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: OFF. OF ZONING & USE

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: SUN FOOD MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1989 NIAGARA
BUSINESS PHONE: (716) 695-0336
COUNCIL DISTRICT: NO
POLICE DISTRICT: 00
APPLICANT NAME: STEPHANIE LIN
APPL. PHONE: (716) 907-4878
APPLICATION NUMBER: 558520
REFERRAL DATE: 06/14/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-1-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

Final Walk Thru

INSPECTOR

RM#

304

EXT

8407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: SUN FOOD MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1989 NIAGARA
BUSINESS PHONE: (716) 695-0336
COUNCIL DISTRICT: NO
POLICE DISTRICT: 00
APPLICANT NAME: STEPHANIE LIN
APPL. PHONE: (716) 907-4878
APPLICATION NUMBER: 558520
REFERRAL DATE: 06/14/2010

REMARKS: 1st request 6/14/2010
2nd request 9/14/2010
DISAPPROVAL REASON: 3RD REQUEST 10/08/2010

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-19-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

[Signature]

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO

OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO:

APPLICATION FOR: SUN FOOD MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1989 NIAGARA

BUSINESS PHONE: (716) 695-0336

COUNCIL DISTRICT: NO

POLICE DISTRICT: 00

APPLICANT NAME: STEPHANIE LIN

APPL. PHONE: (716) 907-4878

APPLICATION NUMBER: 558520

REFERRAL DATE: 06/14/2010

REMARKS:

DISAPPROVAL REASON: PLEASE CALL TO MAKE AN APPOINTMENT FOR BUILDING INSPECTION IF YOU ARE READY.

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/1/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

Final Walk Thru

INSPECTOR

[Signature]

RM#

304

EXT

5407

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppStip2.rpt



OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

100B

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: SUN FOOD MARKET

LICENSE TYPE: FOOD STORE 030

NEW LICENSE 2011

BUSINESS ADDRESS: 1989 NIAGARA
BUSINESS PHONE: (716) 695-0336
COUNCIL DISTRICT: NO
POLICE DISTRICT: 00
APPLICANT NAME: STEPHANIE LIN
APPL. PHONE: (716) 907-4878
APPLICATION NUMBER: 558520
REFERRAL DATE: 06/14/2010

REMARKS: 1 ST REQUEST 6/14/2010
2ND REQUEST 9/02/2010
DISAPPROVAL REASON: NEVER RETURNED PHONE CALLS.

IN-410-266-0736

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9/23/10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN:

APPROVED

DATE: 9-23-10

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE:

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt

CITY OF BUFFALO
OFFICE OF LICENSES
313 CITY HALL
BUFFALO, NEW YORK 14202

1000

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: COLLECTIONS OFFICE

REFERRED TO: COLLECTIONS OFFICE

APPLICATION FOR: SUN FOOD MARKET

LICENSE TYPE: FOOD STORE

NEW LICENSE 2011

BUSINESS ADDRESS: 1989 NIAGARA
BUSINESS PHONE: (716) 695-0336
COUNCIL DISTRICT: NO
POLICE DISTRICT: 00
APPLICANT NAME: STEPHANIE LIN
APPL. PHONE: (716) 695-0336
APPLICATION NUMBER: 558520
REFERRAL DATE: 06/14/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 6/16/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

NO DEBT

INSPECTOR

PATRICK IRWIN

RM#

113

EXT

851-4395

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

CITY OF BUFFALO - LICENSE APPLICATION



65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202
Phone (715) 851-4078 Fax (716) 851-4952

1/30/02

All information on this form is public record. ☐ Mail ☒ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☒ Limited Liability Company

- | | | |
|--|--|--|
| <input type="checkbox"/> Restaurant 1-200 seats \$174.00 | <input type="checkbox"/> Restaurant Dance \$367.50 | <input checked="" type="checkbox"/> Restaurant Take Out \$ 88.00 |
| <input type="checkbox"/> 201-400 seats \$250.00 | <input type="checkbox"/> Floor Show \$367.50 | <input checked="" type="checkbox"/> Food Store \$115.00 |
| <input type="checkbox"/> 400+ seats \$350.00 | <input type="checkbox"/> Live Music \$210.00 | See additional questions. |
| (on premise consumption of food and/or beverage) | <input type="checkbox"/> Mechanical \$131.25 | <input checked="" type="checkbox"/> Meat Fish Poultry \$150.00 |
| <input type="checkbox"/> Certificate of Inspection \$56.00 | <input type="checkbox"/> Public Dance (based on sq ft) | <input type="checkbox"/> Caterer \$ 88.00 |
| (Public Assembly) Restaurant 50+ seats | <input type="checkbox"/> GoGo Dancing \$131.25 | <input type="checkbox"/> Bakery |
| <input type="checkbox"/> Coin Control Amusement | <input type="checkbox"/> Skating Rink \$210.00 | <input type="checkbox"/> 0-2 employees \$ 63.00 |
| # games ___ per game \$47.25 | <input type="checkbox"/> Bowling Alley per lane \$31.50 | <input type="checkbox"/> 3-10 employees \$105.00 |
| <input type="checkbox"/> Arcade # games ___ per game \$47.25 | # lanes ___ | <input type="checkbox"/> 11-15 employees \$157.00 |
| <input type="checkbox"/> Music mechanical \$52.50 | <input type="checkbox"/> Billiard Parlor per table \$31.50 | <input type="checkbox"/> 26-50 employees \$315.00 |
| <input type="checkbox"/> Music live, no dancing \$52.50 | # tables ___ | <input type="checkbox"/> 51-200 employees \$525.00 |
| <input type="checkbox"/> News Stand \$63.00 | | |

Corporation Name Sun Food Market Business Phone (716) 812-6657

Business Name (dba) Sun Food Market Business Fax (716) 695-0336

Business Address (no PO Box) 3849 Wildwing Dr, North Tonawanda, NY 14120

Mailing Address (if different) 1989 Niagara St, Buffalo, New York, 14207

NYS Tax ID # _____ Business Website _____ E-Mail stephanie671@hotmail.com

Owner(s)/ Principal Partners

Applicant (last, first) Lin, Stephanie Home Phone 716-695-0336

Home Address: (PO Box not acceptable) 3849 Wildwing Dr, North Tonawanda, 14120

Date of birth [REDACTED] Place of Birth Burma, Dasei

Co-Applicant (last, first) _____ Home Phone _____

Home Address: (PO Box not acceptable) _____

Date of birth _____ Place of Birth _____

Describe your specific business activity in detail. To provide/sell international food to the community.

Subscribed and sworn to before me this 9 day of April 2010

Commissioner of Deeds in and for the City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business. Initial SL

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

T&A _____
Application No _____
Date issued: _____

Print Name Stephanie Lin

Signature Stephanie Lin

Date 06/3/10

APP # 558520
PRO 558521

150E

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

* * *
* 8 * 0 *
* * *
* * *

That the above communication from the Department of Permit and Inspection Services be received and filed and that the Commissioner of Permits and Inspections be and he hereby is authorized to issue a food store license to Stephanie Lin d/b/a Sun Food Market, located at 1583 Nigara Street.

Passed.

Single Page Communication to the Common Council

101

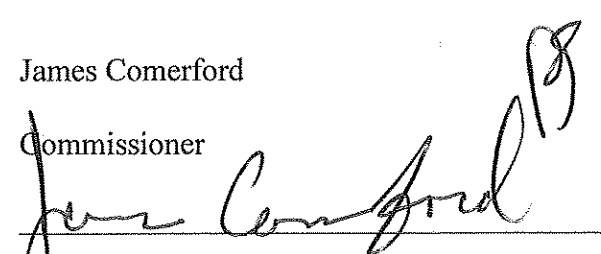
To: **The Common Council:**Date: **October 27, 2010**From: **Department:** Department of Permit & Inspection Services**Division:** Office of Licenses**Subject:** [: Restaurant Dance License (Renewal)
248 Allen StPrior Council Reference: (If any) [:
Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Pursuant to Chapter 150 of the City of Buffalo Ordinances, please be advised that I have caused an investigation into the premises located at **248 Allen Street** for which said renewal application for a Restaurant Dance Class III license is being sought by **Joseph Rubino @ Nietzsche's** and according to the attached reports from the Fire Department, Police Department and Building Inspections, I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: James Comerford

Type Title: Commissioner

Signature of Department Head:


Commissioner

JC:cap

#1 (Rev. 01/1993)

28



Byron W. Brown
Mayor

CITY OF BUFFALO
Department of Permit & Inspection Services
Office of Licenses



108
James Comerford
Commissioner

RESTAURANT/DANCE LICENSE

JOSEPH RUBINO

License Number
205823

NIETZSCHE'S
248-250 ALLEN BUFFALO NY 14201

RESTAURANT DANCE LICENSE - Valid exclusively for the owner of the hotel or restaurant to permit dancing therein by his or her patrons. License NOT valid to lease, rent or otherwise allow any person, whether or not a fee is charged, to hold and/or conduct any special event or otherwise conduct a public dance therein. Said license is personal and cannot be directly or indirectly transferred or assigned.

RESTRICTIONS AND CONDITIONS: Chapter 150-8 (C) The holder of a license shall not permit at any time in connection with the privileges exercised hereunder any kind of exhibition, show or entertainment which may be classified as obscene or immoral.

HOURS OF OPERATION: Chapter 150-10 No dancing shall be permitted in any hotel or restaurant from 3:00 a.m. to 8:00 a.m. on any day.

SUPERVISION: Chapter 150-9 (D) Every public dance and public dance hall wherein meals are not served shall be continuously attended and supervised by a special patrolman in uniform. No special patrolman shall be permitted to attend and supervise any public dance wherein meals are not served as herein provided until properly bonded and his employment shall have been approved by the Commissioner of Police, and he shall at all times be under the supervision and control of the Commissioner of Police.

CLASS 3 DANCING TO LIVE & SOUNDSYSTEM MUSIC: YES

RESTAURANT DANCING CLASS III - 248 ALLEN STREET WITH THE FOLLOWING CONDITIONS:

1. No co-mingling of patrons (no one under the age of 21 permitted after 11:00p.m. unless employed by the owner).
2. No plastic banners or signage displayed on the exterior of the premises between 7:00 am. and 9:00 p.m.
3. If graffiti exists on the exterior of the establishment, it must be removed within 72 hours of notification of its existence.
4. Exterior of the premises must be cleared of all debris by 7:00 a.m. each day, after the establishment is open for operation. This shall include the frontage of the property from its facade to the curblin and the cartilage thereof to the property lines.
5. This license shall be non-transferrable and shall be held exclusively by the applicant. Any individual seeking to acquire licensure under Section 150 of the City Charter and Code, other than the applicant, shall be required to apply anew.

Fee: \$210.00

Date Issued: 10/16/2009

Date Expires: 11/30/2010

Director of Permit & Inspection Services

License holder is responsible for renewal of license within 30 days of expiration date.

THIS LICENSE IS NON-TRANSFERRABLE



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

103

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: NIETZSCHE'S

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 248 ALLEN
BUSINESS PHONE: (000) 000-0000
COUNCIL DISTRICT: EL
POLICE DISTRICT: 00
APPLICANT NAME: JOSEPH RUBINO
APPL. PHONE: (000) 000-0000
APPLICATION NUMBER: 205823
REFERRAL DATE: 11/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10/12/10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

[Signature]

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: NIETZSCHE'S

LICENSE TYPE: RESTAURANT/DANCE

065

RENEWED LICENSE 2011

BUSINESS ADDRESS: 248 ALLEN
BUSINESS PHONE: (000) 000-0000
COUNCIL DISTRICT: EL
POLICE DISTRICT: 00
APPLICANT NAME: JOSEPH RUBINO
APPL. PHONE: (000) 000-0000
APPLICATION NUMBER: 205823
REFERRAL DATE: 10/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-8-10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN:

William P. BLAKE William P. Blake

APPROVED

DATE:

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE:

Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: NIETZSCHE'S

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 248 ALLEN
BUSINESS PHONE: (000) 000-0000
COUNCIL DISTRICT: EL
POLICE DISTRICT: 00
APPLICANT NAME: JOSEPH RUBINO
APPL. PHONE: (000) 000-0000
APPLICATION NUMBER: 205823
REFERRAL DATE: 10/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-26-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

Kevin Fitzgerald

RM#

304

EXT

4382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services, dated October 27, 2010, be received and filed; and

That pursuant to Chapter 150 of the City Code, the Director of Permit and Inspection Services be, and he hereby is authorized to renew a Restaurant Dancing Class III License to Joseph Rubino, d/b/a Nietzsche's located at 248 Allen Street.

Passed.

107

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
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	*	*	*	*
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Maj - 5

2/3 - 6

3/4 - 7

00032

Communication to the Common Council

To: **The Common Council:**

Date: **October 26, 2010**

From: **Department** Department of Permit & Inspection Services

Division Office of Licenses

Subject: **[: Restaurant Dance Class III**
[: 289 Austin Street
[(new owner)

Prior Council Reference: (If any) [:

Ext. Item No. xxx, C.C.P. xx/xx/xx:

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Restaurant Dance Class III License located at **289 Austin Street, dba Visions Club & Bar Restaurant**, and find that as to form is correct. I have caused an investigation into the premises for which said application for a Restaurant Dance Class III license is being sought and according to the attached reports from the Zoning Office, Fire Department and Building Inspections. I find it complies with all regulations and other applicable laws. I have caused an investigation by the Police Department into the moral character of Concepcion Virella. The attached thereto for **Visions Club & Bar Restaurant** of Buffalo. This request is submitted for your approval or whatever action you deem appropriate.

Signature of Department Head:

Department Head Name:


JAMES COMERFORD, COMMISSIONER

JC:cap

#1 (Rev. 01/1993)

REFERRED TO THE COMMITTEE
ON LEGISLATION.

29



CITY OF BUFFALO - LICENSE APPLICATION

442.50 65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202
Phone (715) 851-4078 Fax (716) 851-4952

All information on this form is public record. ☐ Mail ☐ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

Sept 2011
☒ Restaurant 1-200 seats fee \$174.00
☐ 201-400 seats \$250.00
☐ 400+ seats \$350.00
(on premise consumption of food and/or beverage)

Aug 2011
☒ Certificate of Inspection fee \$56.00
(Public Assembly) Restaurant 50+ seats

☐ Coin Control Amusement
games ___ per game \$47.25

☐ Arcade # games ___ per game \$47.25

☐ Music mechanical \$52.50

☒ Music live, no dancing fee \$52.50

☐ News Stand \$63.00

fee
☒ Restaurant Dance
☐ Floor Show \$367.50
☒ Live Music fee \$210.00
☐ Mechanical \$131.25

☐ Public Dance (based on sq ft)

☐ GoGo Dancing \$131.25

☐ Skating Rink \$210.00

☐ Bowling Alley per lane \$31.50

lanes ___

☐ Billiard Parlor per table \$31.50

tables ___

fee
☐ Restaurant Take Out \$ 88.00

☐ Food Store \$115.00
See additional questions.

☐ Meat Fish Poultry \$150.00

☐ Caterer \$ 88.00

☐ Bakery

☐ 0-2 employees \$ 63.00

☐ 3-10 employees \$105.00

☐ 11-15 employees \$157.00

☐ 26-50 employees \$315.00

☐ 51-200 employees \$525.00

Corporation Name

Business Phone (116) 854-0921

Business Name (dba)

Latin Gallery Visions club Bar & Restaurant

Business Fax (116) 854-0921

Business Address (no PO Box) 289 Austin, Buffalo, NY, 14201

Mailing Address (if different) 476 Fillmore Ave, Buffalo, NY, 14206

NYS Tax ID #

Business Website

E-Mail

Owner(s)/ Principal Partners

Applicant (last, first) Virella conception III

Home Phone (716) 854-0921

Home Address: (PO Box not acceptable) 476 Fillmore Ave, Buffalo, NY, 14206

Date of birth [redacted] Place of Birth Buffalo

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth

Place of Birth

Describe your specific business activity in detail. A. Restaurant with a bar
including music and dance.

Subscribed and sworn to before me
this 19 day of July 2010

Anthony Perry
Commissioner of Deeds in and for the
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business. Initial ___

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

T&A

Application No 559115

Date issued: 539 116

559 117

559 118

Print Name

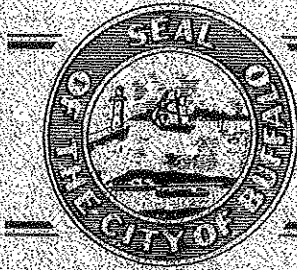
Conception Virella III

Signature

[Signature]

Date

7.19.10



CITY OF BUFFALO

Certificate of Occupancy

Certificate No: 13515

In accordance with appropriate laws of the State of New York and/or the Ordinances of the City of Buffalo the structure(s) located at 289 AUSTIN Buffalo, New York, having been inspected and found to conform substantially to applicable laws, ordinances, rules or regulations, said structure(s) is hereby certified for occupancy. This certificate is issued subject to the limitations herein specified and is valid until revoked unless automatically voided by the conditions set forth on the reverse side of this certificate.

Date Issued: 07/21/2010

James W. Cameron
Commissioner of Economic Development
Permit and Inspection Services

Total Occupancy: TAVERN/RESTAURANT & 4 DWELLING UNITS

No. Units: 4

No. Stories: 0

No. Rooms: 0

Building Type: 5B

Zoning Use Dist: R2

Smoke Detectors: EL 9/20/1984

Construction: FRAME

Class: NYSUBC TITLE 19 R2
NYSUBC TITLE 19 A2

Application Codes:

MDL Law: Y

City Ordinance: Y

Zoning Ordinance: Y

NYSUBC (9): N

Permit No: 42463

Permit Date: 8/9/1968

Receipt No: 13515

Date Inspected: 7/15/2010

Inspector: RONALD SOKOLOWSKI

Expiration Date: 07/15/2013

Building Usage:

Story

BASEMENT
1ST FLOOR
2ND FLOOR

Use

UTILITIES
TAVERN/RESTAURANT
4 DWELLING UNITS

SEE REVERSE SIDE

APPLICATION RELEASE FORM

DEPARTMENT

TO BE MAILED TO:

Buffalo Police Department
Identification Section
74 Franklin Street
Buffalo, New York 14202

2010 JUN 21 AM 11:15

#56714

There is a \$10.00 fee to process this data. By mail, payment **MUST** be made by money order. **DO NOT** send cash through the mail. In person, payment can be made by money order or cash. Checks are not accepted. Make money order payable to the Buffalo Police Department.

Be sure to include a stamped, self-addressed envelope so that this information can be mailed to you. Complete all the information listed below and have your identification and signature verified by a Notary Public (or) Commissioner of Deeds, as listed on the bottom of this application. Without total compliance to these instructions, you **WILL NOT** receive the requested information.

ALL SIGNATURES MUST BE ORIGINAL

NAME OF APPLICANT: Concepcion Virella III /MAIDEN NAME _____
SEX Male RACE Hispanic
CURRENT ADDRESS: 476 Fillmore Ave
DATE OF BIRTH: [REDACTED]
SOCIAL SECURITY # [REDACTED]
REASON FOR REQUEST _____

X SIGNATURE OF APPLICANT

X DATE 6/21/10

STATE OF NEW YORK)
COUNTY OF ERIE) SS.
CITY OF BUFFALO)

On the 21 day of June, 2010, before me personally appeared

Concepcion Virella, to me known to be the same person described in, and who executed the foregoing instrument and acknowledged the execution thereof.

Rui O. Manda
Notary Public / Commissioner of Deeds

***** TO BE COMPLETED BY IDENTIFICATION SECTION PERSONNEL *****

☐ RECORD ATTACHED

☒ NO RECORD ON FILE

VERIFIED BY: Rui O. Manda
DATE VERIFIED 6/21/2010

NOTE: USE OF THIS INFORMATION IS NOT BASED ON FINGERPRINT IDENTIFICATION. DO NOT RETAIN AFTER 60 DAYS FROM DATE VERIFIED. NOT VALID UNTIL STAMPED.



CITY OF BUFFALO
OFFICE OF LICENSES
301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: VISIONS CLUB & BAR RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE

NEW LICENSE 2011

BUSINESS ADDRESS: 289 AUSTIN
BUSINESS PHONE: (716) 854-0921
COUNCIL DISTRICT: NO
POLICE DISTRICT: 13
APPLICANT NAME: CONCEPCION VIRELLA
APPL. PHONE: (716) 854-0921
APPLICATION NUMBER: 559118
REFERRAL DATE: 07/19/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10/20/10

DISAPPROVED

DATE:

REMARKS: see 559117

DISTRICT CAPTAIN: [Signature]

APPROVED

DATE: 10/20/10

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE: Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

Communication to the Common Council

To: **The Common Council:**

Date: **October 26, 2010**

From: **Department** Department of Permit & Inspection Services

Division Office of Licenses

Subject: **[: Restaurant Dance Class IV**
[: 67 Chippewa West aka 69 Chippewa West
[(new owner)

Prior Council Reference: (If any) [:

Ext. Item No. xxx, C.C.P. xx/xx/xx:

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Restaurant Dance Class IV License located at **67 Chippewa West Street, dba Bottoms Up**, and find that as to form is correct. I have caused an investigation into the premises for which said application for a Restaurant Dance Class IIV license is being sought and according to the attached reports from the Zoning Office, Fire Department and Building Inspections. I find it complies with all regulations and other applicable laws. I have caused an investigation by the Police Department into the moral character of Kevin Nightingale. The attached thereto for **Bottoms Up** of Buffalo. This request is submitted for your approval or whatever action you deem appropriate.

Signature of Department Head:

Department Head Name:

 **JAMES COMERFORD, COMMISSIONER**

JC:cap

#1 (Rev. 01/1993)



CITY OF BUFFALO - LICENSE APPLICATION

65 Niagara Sq. City Hall Room 301 Buffalo, NY 14202

Phone (716) 851-4078 Fax (716) 851-4952

All information on this form is public record.

☐ Mail

☐ Walk-in

Type of Entity: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ Limited Liability Company

☒ Restaurant fee
1-200 seats \$174.00
☐ 201-400 seats \$250.00
☐ 400+ seats \$350.00
(on premise consumption of food and/or beverage)

☒ Certificate of Inspection \$56.00
(Public Assembly) Restaurant 50+ seats

☐ Coin Control Amusement
games per game \$47.25

☐ Arcade # games per game \$47.25

☐ Music mechanical \$52.50

☒ Music live, no dancing \$52.50

☐ News Stand \$63.00

☒ Restaurant Dance fee
☐ Floor Show \$367.50
☐ Live Music \$210.00
☒ Mechanical \$131.25

☐ Public Dance (based on sq ft)

☐ GoGo Dancing \$131.25

☐ Skating Rink \$210.00

☐ Bowling Alley per lane \$31.50

lanes

☐ Billiard Parlor per table \$31.50

tables

☐ Restaurant Take Out \$88.00

☐ Food Store \$115.00

See additional questions.

☐ Meat Fish Poultry \$150.00

☐ Caterer \$88.00

☐ Bakery

☐ 0-2 employees \$63.00

☐ 3-10 employees \$105.00

☐ 11-15 employees \$157.00

☐ 26-50 employees \$315.00

☐ 51-200 employees \$525.00

Corporation Name Bottoms UP v, LLC

Business Phone 716 510 6438

Business Name (dba) Bottom UP

Business Fax ()

Business Address (no PO Box) 67 AKA 69 West Chippewa, Buffalo, NY 14202

Mailing Address (if different) 205 Charter Oaks Dr #4, Amherst, NY 14228

NYS Tax ID # 272892921 Business Website

E-Mail Kevin.Nightingale@gmail.com

Owner(s)/ Principal Partners

Applicant (last, first) Nightingale, Kevin

Home Phone 716-510-6438

Home Address: (PO Box not acceptable) 205 Charter Oaks Dr #4, NY Amherst

Date of birth [REDACTED] Place of Birth N. TOWNSHIP

14228

Co-Applicant (last, first)

Home Phone

Home Address: (PO Box not acceptable)

Date of birth

Place of Birth

Describe your specific business activity in detail. OPERATIONS MANAGER

Subscribed and sworn to before me
this 23 day of Sept 2010

Catherine Perry
Commissioner of Deeds in and for the
City of Buffalo, New York

I am aware of the obligation to provide timely notice of any change in required information, and I have informed all owners, managers, or other principals of their criminal and/or civic responsibility for the timely fulfillment of restrictions and conditions to the license or timely abatement of any nuisance activity at or associated with the business.

Initial KMN

As an authorized agent of the entity identified above, I certify the information on this form is true, correct, complete and current to the best of my knowledge and belief.

For office use only

T&A

Application No

Date issued:

Print Name Kevin M. Nightingale

Signature [Signature]

Date 9/23/10

APPLICATION RELEASE FORM

115

TO BE MAILED TO:

Buffalo Police Department
 Identification Section
 74 Franklin Street
 Buffalo, New York 14202

57528

There is a \$10.00 fee to process this data. By mail, payment **MUST** be made by money order. **DO NOT** send cash through the mail. In person, payment can be made by money order or cash. Checks are not accepted. Make money order payable to the Buffalo Police Department.

Be sure to include a stamped, self-addressed envelope so that this information can be mailed to you. Complete all the information listed below and have your identification and signature verified by a Notary Public (or) Commissioner of Deeds, as listed on the bottom of this application. Without total compliance to these instructions, you **WILL NOT** receive the requested information.

ALL SIGNATURES MUST BE ORIGINAL

NAME OF APPLICANT: Kevin M. Nightingale / MAIDEN NAME _____
 SEX M RACE white
 CURRENT ADDRESS: 205 Charter Oaks Hill, Amherst, NY 14228
 DATE OF BIRTH: [REDACTED]
 SOCIAL SECURITY #: [REDACTED]
 REASON FOR REQUEST: Applying for driver license

SIGNATURE OF APPLICANT

DATE

STATE OF NEW YORK)
 COUNTY OF ERIE)
 CITY OF BUFFALO)

SS.

On the 23 day of SEPTEMBER, 2010, before me personally appeared

KEVIN NIGHTINGALE, to me known to be the same person described in, and who executed the foregoing instrument and acknowledged the execution thereof.

2010 SEP 28 3:38

Notary Public / Commissioner of Deeds

***** TO BE COMPLETED BY IDENTIFICATION SECTION PERSONNEL *****

☐ RECORD ATTACHED

☒ NO RECORD ON FILE

VERIFIED BY:

DATE VERIFIED:

RT Marion Blady
9.23.10

NOTE: USE OF THIS INFORMATION IS NOT BASED ON FINGERPRINT IDENTIFICATION. DO NOT RETAIN AFTER 60 DAYS FROM DATE VERIFIED. NOT VALID UNTIL STAMPED.



OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

(B)
115A

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: BOTTOMS UP INC

LICENSE TYPE: RESTAURANT/DANCE 065

NEW LICENSE 2011

BUSINESS ADDRESS: 67 CHIPPEWA WEST

BUSINESS PHONE: 854-3549

COUNCIL DISTRICT:

POLICE DISTRICT:

APPLICANT NAME: KEVIN NIGHTINGALE

APPL. PHONE: 716-5106

APPLICATION NUMBER: 559907

REFERRAL DATE: 09/23/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 9-28-10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN:

William P. Blake Wm P. Blake

APPROVED

DATE:

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE:

Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt



CITY OF BUFFALO
DEPARTMENT OF ECONOMIC DEVELOPMENT,
PERMIT & INSPECTION SERVICES

OFFICE OF THE COMMISSIONER



BYRON W. BROWN
Mayor

JAMES COMERFORD, Jr.
Deputy Commissioner

Certificate of Compliance

Number 1826

In accordance with the appropriate laws of the State of New York and or the ordinances of the City of Buffalo, the structures at **69 CHIPPEWA WEST aka 67 CHIPPEWA WEST** Buffalo, New York, having been inspected and found to conform substantially to applicable laws, ordinances, rules or regulations, the portion identified on this certificate is hereby certified for occupancy. This compliance certificate is subject to the limitations specified herein and is valid until revoked unless automatically voided by this certificate being altered in any manner if there is any violation of a law or ordinance found to exist subsequent to the issuance of the certificate, i.e. continued compliance with applicable codes and ordinances is required.

Director of Permits & Inspections

Date Issued: 10/19/2010

Building Classification: Type 4b

Occupancy: M/B

Building Permit(s) Number: 58280

Date Issued: 09/13/2004

Building Inspector: Mara, William

Date of Inspection: 09/28/2010

Receipt Number: Per Permit

Portion of Building being inspected and certified: CERTIFICATION FOR SLA, FIRST (1ST) FLOOR BAR "BOTTOMS UP".

15C

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	* 8 *	* 0 *		
	*	*	*	

Maj - 5
2/3 - 6
3/4 - 7

That the above communication from the Commissioner of Permits and Inspection Services is hereby received and filed and that said Commissioner or his designee is hereby authorized to issue a Restaurant Dance Class 1V license to Kevin Nightingale for Bottoms Up, located at 67 Chippewa West Street, on the condition that: any event licensed or authorized by said license be limited to persons of 21 years or older. Passed.

Single Page Communication to the Common Council

To: **The Common Council:**Date: **October 27, 2010**From: **Department:** Department of Permit & Inspection Services**Division:** Office of Licenses**Subject:** [: Restaurant Dance License (Renewal)
1281 Hertel St

Prior Council Reference: (If any) [:

Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Pursuant to Chapter 150 of the City of Buffalo Ordinances, please be advised that I have caused an investigation into the premises located at **1281 Hertel Street** for which said renewal application for a Restaurant Dance Class III license is being sought by **Sumner Nichols @ Gabel's** and according to the attached reports from the Fire Department, Police Department and Building Inspections, I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: James Comerford

Type Title: Commissioner

Signature of Department Head:


Commissioner

JC:cap

#1 (Rev. 01/1993)



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: GABEL'S

LICENSE TYPE: RESTAURANT/DANCE 065 RENEWED LICENSE 2011
BUSINESS ADDRESS: 1281 HERTEL
BUSINESS PHONE: (716) 874-3010
COUNCIL DISTRICT:
POLICE DISTRICT: 00
APPLICANT NAME: SUMNER NICHOLS
APPL. PHONE: () -
APPLICATION NUMBER: 209343
REFERRAL DATE: 10/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10/5/10

DISAPPROVED

DATE:

REMARKS:

Recommend Approval

DISTRICT CAPTAIN:

[Signature]

APPROVED

DATE: 10/5/10

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE:

Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: GABEL'S

LICENSE TYPE: RESTAURANT/DANCE

BUSINESS ADDRESS: 1281 HERTEL
BUSINESS PHONE: (716) 874-3010

COUNCIL DISTRICT:

POLICE DISTRICT: 00

APPLICANT NAME: SUMNER NICHOLS

APPL. PHONE: 0 -

APPLICATION NUMBER: 209343

REFERRAL DATE: 10/01/2010

RENEWED LICENSE 2011

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-14-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR LT. Gabel RM# _____ EXT _____

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: GABEL'S

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 1281 HERTEL
BUSINESS PHONE: (716) 874-3010
COUNCIL DISTRICT:
POLICE DISTRICT: 00
APPLICANT NAME: SUMNER NICHOLS
APPL. PHONE: () -
APPLICATION NUMBER: 209343
REFERRAL DATE: 10/01/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-25-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

K. Fitzgerald

RM#

304

EXT

9382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

120

Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services, dated October 27, 2010, be received and filed; and

That pursuant to Chapter 150 of the City Code, the Director of Permit and Inspection Services be, and he hereby is authorized to renew a Restaurant Dancing Class III License to Sumner Nichols, d/b/a Gabel's located at 1281 Hertel Avenue.

Passed.

121

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

*	*	*
*	8	*
*	*	0
*	*	*

Maj - 5

2/3 - 6

3/4 - 7

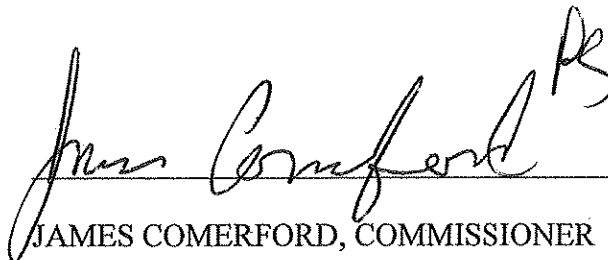
Communication to the Common Council

To: **The Common Council:**Date: **October 21, 2010**From: **Department** Department of Permit & Inspection Services**Division** Office of Licenses**Subject:** **[: Restaurant Dance Class IV**
[: 3144 Main Street
[(new owner)Prior Council Reference: (If any) **[:**Ext. Item No. xxx, C.C.P. xx/xx/xx:

Pursuant to Chapter 150 of the City of Buffalo Ordinance please be advised that I have examined the attached application for a Restaurant Dance Class IV License located at **3144 Main Street**, dba **Mojo's**, and find that as to form is correct. I have caused an investigation into the premises for which said application for a Restaurant Dance Class IV license is being sought and according to the attached reports from the Zoning Office, Fire Department and Building Inspections. I find it complies with all regulations and other applicable laws. I have caused an investigation by the Police Department into the moral character of Danielle Dwyer. The attached thereto for **Mojo's** of Buffalo. This request is submitted for your approval or whatever action you deem appropriate.

Signature of Department Head:

Department Head Name:


JAMES COMERFORD, COMMISSIONER

JC:cap

#1 (Rev. 01/1993)

**REFERRED TO THE COMMITTEE
ON LEGISLATION.**



CITY OF BUFFALO
DEPARTMENT OF ECONOMIC DEVELOPMENT,
PERMIT & INSPECTION SERVICES

OFFICE OF THE COMMISSIONER



BYRON W. BROWN
Mayor

JAMES COMERFORD, Jr.
Deputy Commissioner

Certificate of Compliance

Number 1831

In accordance with the appropriate laws of the State of New York and or the ordinances of the City of Buffalo, the structures at **3144 MAIN** Buffalo, New York, having been inspected and found to conform substantially to applicable laws, ordinances, rules or regulations, the portion identified on this certificate is hereby certified for occupancy. This compliance certificate is subject to the limitations specified herein and is valid until revoked unless automatically voided by this certificate being altered in any manner if there is any violation of a law or ordinance found to exist subsequent to the issuance of the certificate. I.e. continued compliance with applicable codes and ordinances is required.



Director of Permits & Inspections

Date Issued: 10/21/2010

Building Classification: Type 5b frame unprotected

Occupancy: A-2

Building Permit(s) Number: N/A

Date Issued: N/A

Building Inspector: Plevniak, Jack

Date of Inspection: 10/14/2010

Receipt Number: 20164

Portion of Building being inspected and certified: FIRST (1ST) FLOOR; TWO (2) BAR AREAS, TWO (2) ADA LAVATORIES, REAR DECK, BASEMENT STORAGE AND MECHAINCALS.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

125
126
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AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: MOJO'S

LICENSE TYPE: RESTAURANT 060

NEW LICENSE 2011

BUSINESS ADDRESS: 3144 MAIN
BUSINESS PHONE: (716) 228-3877
COUNCIL DISTRICT:
POLICE DISTRICT:
APPLICANT NAME: DANIELLE DWYER
APPL. PHONE: (716) 228-3877
APPLICATION NUMBER: 559927
REFERRAL DATE: 09/28/2010

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED DATE: _____

DISAPPROVED DATE: _____

REMARKS: _____

DISTRICT CAPTAIN: David S. Stolz

APPROVED DATE: 10/16/10

DISAPPROVED DATE: _____

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS: _____

COMM. OF POLICE: Charles Tomaszewski

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

Single Page Communication to the Common Council

128

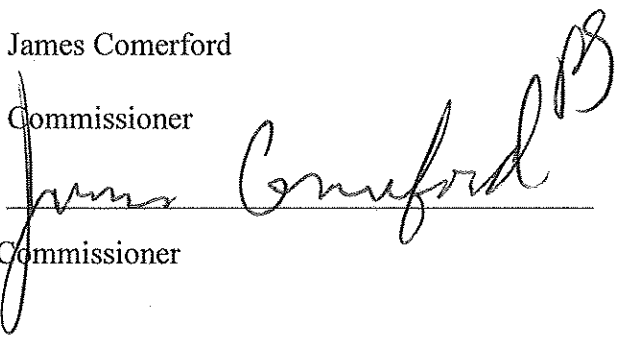
To: **The Common Council:**Date: **October 25, 2010**From: **Department:** Department of Permit & Inspection Services**Division:** Office of Licenses**Subject:** [: Restaurant Dance License (Renewal)
600 North St EastPrior Council Reference: (If any) [:
Ext. (Item No. xxx, C.C.P. xx/xx/xx):

Pursuant to Chapter 150 of the City of Buffalo Ordinances, please be advised that I have caused an investigation into the premises located at **600 North St East** for which said renewal application for a Restaurant Dance Class III license is being sought by **Joseph Carrier @ Musicians Big 6 VIP Club & Restaurant** and according to the attached reports from the Fire Department, Police Department and Building Inspections, I find it complies with all regulations and other applicable laws. This request is submitted for your approval or whatever action you deem appropriate.

Type Department Head Name: James Comerford

Type Title: Commissioner

Signature of Department Head:


Commissioner

JC:cap

#1 (Rev. 01/1993)

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CITY OF BUFFALO
OFFICE OF LICENSES
313 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: HOUSING PROPERTY INS

REFERRED TO: KEVIN FITZGERALD

APPLICATION FOR: MUSICIANS BIG 6 VIP CLUB & RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE RENEWED LICENSE 2011
BUSINESS ADDRESS: 600 NORTH ST EAST
BUSINESS PHONE: 896-6660
COUNCIL DISTRICT: EL
POLICE DISTRICT: 12
APPLICANT NAME: JOSEPH CARRIER
APPL. PHONE: 893-9593
APPLICATION NUMBER: 545635
REFERRAL DATE:

REMARKS:

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 2-11-10

DISAPPROVED

DATE: _____

DISAPPROVAL
CALL BACK

DATE: _____

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS: _____

INSPECTOR

K. Fitzgerald

RM#

307

EXT

4382

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.



CITY OF BUFFALO
OFFICE OF LICENSES

301 CITY HALL
BUFFALO, NEW YORK 14202

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: FIRE PREVENTION

REFERRED TO: LT. POCZKALSKI

APPLICATION FOR: MUSICIANS BIG 6 VIP CLUB & RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE

RENEWED LICENSE 2011

BUSINESS ADDRESS: 600 NORTH ST EAST

BUSINESS PHONE: 896-6660

COUNCIL DISTRICT: EL

POLICE DISTRICT: 12

APPLICANT NAME: JOSEPH CARRIER

APPL. PHONE: 893-9593

APPLICATION NUMBER: 545635

REFERRAL DATE:

REMARKS:

PLEASE: NEEDS THIS

4th request

DISAPPROVAL REASON:

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 10-22-10

DISAPPROVED

DATE:

DISAPPROVAL
CALL BACK

DATE:

REASON FOR DISAPPROVAL MUST BE STATED BELOW

REMARKS:

INSPECTOR

Lt. Poczka

RM#

EXT

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL OF THE OFFICE OF LICENSES. THANK YOU.

AppSlip2.rpt

CITY OF BUFFALO
OFFICE OF LICENSES
313 CITY HALL
BUFFALO, NEW YORK 14202

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C

INSPECTION/APPROVAL REQUEST

AGENCY / DEPARTMENT: POLICE

REFERRED TO: COMMISSIONER OF POLICE

APPLICATION FOR: MUSICIANS BIG 6 VIP CLUB & RESTAURANT

LICENSE TYPE: RESTAURANT/DANCE 065 RENEWED LICENSE 2011
BUSINESS ADDRESS: 600 NORTH ST EAST
BUSINESS PHONE: 896-6660
COUNCIL DISTRICT: EL
POLICE DISTRICT: 12
APPLICANT NAME: JOSEPH CARRIER
APPL. PHONE: 893-9593
APPLICATION NUMBER: 545635
REFERRAL DATE:

REMARKS: They called; said repairs have been made; are ready for new inspection.

DISAPPROVAL REASON: BUILDING IN DISREPAIR; SIDING FALLING OFF WEST SIDE OF BUILDING;
BLDG MATERIAL DEBRIS; UNABLE TO CONTACT OWNER

(TO BE COMPLETED BY AGENCY/DEPARTMENT REFERRED TO)

APPROVED

DATE: 5/22/10

DISAPPROVED

DATE:

REMARKS:

DISTRICT CAPTAIN: [Signature] undersent

APPROVED

DATE:

DISAPPROVED

DATE:

***REASON FOR DISAPPROVAL MUST BE STATED BELOW ***

REMARKS:

COMM. OF POLICE: [Signature]
Commissioner of Police

AFTER INSPECTION PLEASE COMPLETE AND RETURN THIS
REFERRAL TO THE OFFICE OF LICENSES. THANK YOU.

138
Mr. Fontana moved:

That the above communication from the Department of Permit and Inspection Services, dated October 25, 2010, be received and filed; and

That pursuant to Chapter 150 of the City Code, the Director of Permit and Inspection Services be, and he hereby is authorized to renew a Restaurant Dancing Class III License to Joseph Carrier, d/b/a Musicians Big 6 VIP Club & Restaurant located at 600 North Street East.

Passed.

133

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8	0	*
	*	*	*	*
	*	*	*	*

Maj - 5

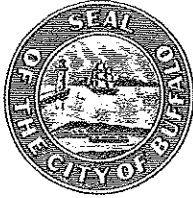
2/3 - 6

3/4 - 7

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FROM THE COMMISSIONER OF HUMAN RESOURCES

November 3, 2010



CITY OF BUFFALO
DEPARTMENT OF HUMAN RESOURCES



BYRON W. BROWN
MAYOR

KARLA L. THOMAS
COMMISSIONER

OLIVIA A. LICATA
ADMINISTRATIVE DIRECTOR

INFO -

ACTING TIME

October 18, 2010

Gerald A. Chwalinski
City Clerk
Room 1308 City Hall
Buffalo, NY 14202

Dear Mr. Chwalinski:

In response to your correspondence of October 6, 2010, be advised as follows:

Acting time is viewed as temporary employment and is to be used for the purpose of filling a position when duties need to be performed **while the incumbent is not working** and off with pay, i.e. on vacation or sick time.

Since acting time is considered to be temporary, based on **Section 64(2) of NYS Civil Service law**, temporary appointments for a period not exceeding three months may be made without regard to an existing eligible list, thus resulting in a limit of 90 days.

Acting time is not, however, to be used to fill a permanent vacancy or to fill a position that is left vacant during an individual's leave of absence for more than three months.

Section 100 of NYS Civil Service law charges the local municipal commission with certifying every payroll to verify the accuracy of employment for all city employees. Since the assignment of **acting time** is *not* approved by Civil Service, the validity of payroll certification is affected by the continuing acting time beyond the 90 day limit, rendering out-of-compliance with State law and our local rules.

Section 100 of NYS Civil Service law also authorizes sanctions against departments that continue to violate the law by withholding payroll (paychecks) for certification for the entire department, or for the specific employees in question.

Section 101 of NYS Civil Service law also authorizes sanctions against any appointing authority who continues to employ such individuals after due notice from Civil Service.

34

October 18, 2010

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While we understand that departments at times need to reorganize and may not necessarily want to immediately fill a position upon being vacated, when it is a permanently budgeted position, Civil Service laws and our local Rules are clear on the premise on how to fill these positions, especially when an eligible list is in place for that specific title.

We are also aware of the difficulties that departments face to fill these vacancies, however, State law and our local rules must still be adhered to.

Civil Service law requires each Municipal Civil Service officer to establish and maintain **Eligible Lists**, through the administration of competitive and promotional exams.

The proper preparation and maintenance of eligible lists are critical elements of the competitive selection process and the administration of eligible lists is performed within the scope of these laws.

When filling a vacancy from an eligible list, the role of Civil Service is to assure that the individuals being considered for selection are eligible to be certified for appointment (i.e. submit sufficient proof of residence; submit proof of required education or special licenses or certificates; review of police record check; drug test and medical exam, as required).

Upon receipt of a request from the Appointing Authority (the hiring department), Civil Service will canvass the eligible list to determine which candidates are interested in the appointment. The results of the canvass and subsequent list of eligibles are sent to the Appointing Authority from which a selection s can be made.

Civil Service is not involved in the *actual* selection of the individuals to be hired; contact with candidates is during the qualifying process and interviews are conducted by the Appointing authority. Our main role is to oversee the process to assure that the appointment is made within the scope of the law.

An eligible list is deemed to be **Incomplete** when there are less than three eligibles on the list for appointment.

In the absence of an eligible list, the appointment of a **Provisional** incumbent is in accordance with the respective contractual bargaining agreements. Individuals nominated for provisional appointment must meet required qualifications and successfully complete the qualifying process (as previously stated in this correspondence).

137

October 18, 2010

I trust this will answer your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karla L. Thomas".

Karla L. Thomas
Commissioner

REFERRED TO THE COMMITTEE
ON CIVIL SERVICE.

FROM THE CITY CLERK

November 3, 2010

00038

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No.

Liquor License Applications

Attached hereto are communications from persons applying for liquor licenses from the Erie County Alcohol Beverage Control Board.

Address	Business Name	Owner's Name
948 Main St 1435 Main St	OHM ULTRA LOUNGE The Oak Room	Roslyn M. Righetti DAW J, LLC

RECEIVED AND FILED

November 3, 2010

35



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY

Standardized **ALTERATION APPLICATION NOTICE FORM** for Providing a
30-Day Advance Notice to a **Local Municipality or Community Board**
in connection with the submission to the State Liquor Authority of the
Application for Permission to Make Alterations
for the Establishment Identified in this Notice

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:	10	25	20	10
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD:					
2.	Name of the Local Municipality or Community Board:	City of Buffalo City Clerk			
3.	Street Address of Local Municipality or Community Board:	65 Niagara Square Room 1308 City Hall			
4.	City, Town or Village:	Buffalo	NY	Zip Code:	14202-3381
5.	Telephone Number of Clerk of Local Municipality or Community Board:	7	1	6	- 8 5 1 - 5 4 3 1
APPLICANT INFORMATION					
6.	Applicant's Full Name as it Appears on the License Certificate:	Roslyn M. Righetti			License Serial No. 3124764
7.	Street Address of Premises	City, Town or Village-Zip Code	County	Telephone No.	
	948 main street	Buffalo 14202	Erie	716 332-0510	
8.	Type(s) of Alcohol Currently Sold under the License: ("X" one)	<input type="checkbox"/> Beer Only <input type="checkbox"/> Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine and Beer			
PROPOSED CHANGES/ALTERATIONS					
9.	<input checked="" type="checkbox"/> Substantial Alteration: Any enlargement or contraction of a licensed premises. Any physical changes to the exterior, that involves the creation or relocation of any window or door, and any interior changes of physical structure. Any change in size or location of bar, or dining and kitchen facilities. or <input type="checkbox"/> Minor Alteration: One costing and valued at less than ten thousand dollars, which does not affect the material character or physical structure that existed at the time of licensing.				
10.	Where will the Alteration be confined to?	<input checked="" type="checkbox"/> Interior <input type="checkbox"/> Exterior <input type="checkbox"/> Interior and Exterior		If interior, will the Occupancy change? Yes or No Yes	
	If Exterior, do you plan on utilizing outdoor areas? Yes or No	If Yes, which outdoor area? Check One <input type="checkbox"/> Rooftop <input type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden/Grounds <input type="checkbox"/> Other			
12.	Is a Building Permit required for this type of Alteration? Yes or No	If so, has permit been applied for? Yes or No Yes Yes			
13.	Will any entrance or exit of premises as altered be within 200' of the entrance to a school, church or synagogue or other place of worship? Yes or No	No		Will there be a change of address upon completion of Alterations? Yes or No No	
14.	Are there any known limitations by the County or Municipality for this type of Alteration? Yes or No	No			
ATTORNEY OR REPRESENTATIVE REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S ALTERATION APPLICATION FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE					
15.	Attorney's Full Name is:	Barry Nelson Covert			
16.	Attorney's Street Address:	City, Town or Village:	Business Telephone Number:		
	42 Delaware Suite 120	Buffalo	716 849-1333 ext 365		

I am the Person who holds the license or I am a Principal of the Legal Entity that will hold the License.
Representations in this form are in full conformity with representations made in documents that have been submitted (or documents that will be submitted) to the State Liquor Authority and relied upon by the Authority.
I understand that representations made in this form will also be relied upon by the Authority and that false representations in any document submitted to the Authority may result in revocation of any license that may be issued.
By my signature, I affirm under **Penalty of Perjury** that the representations made in this form are true.

Printed Name	Title	Signature
Roslyn M. Righetti	owner/Pres.	

NOTIFICATION RIDER TO NEW APPLICATIONS

Applicants for on premises licenses must complete this section.

NOTICE TO MUNICIPALITY/COMMUNITY BOARD

Thirty days before submitting an application to the New York State Liquor Authority, you (the applicant) are required (by the Alcoholic Beverage Control Law, Section 64, subdivision 2a) to notify, in writing, the clerk of the village; town; city; or the local community board in New York City; where your premise is located and your intent to file your application with the NYS Liquor Authority.

Notification must be sent by Certified Mail, return receipt requested. The original receipt and copy of your Notification to the Municipality/Community Board MUST accompany your application.

- ▶ *In New York City*, notification is required for ALL on premises (beer, wine & liquor) applications. Notification is to be sent to the community board with jurisdiction over the area in which the premises is located.
- ▶ *Outside New York City* only on premise liquor applicants are required to notify the clerk of the city, town or village of the jurisdiction.

NOTE: APPLICATIONS CANNOT BE ACCEPTED IF THIS NOTIFICATION HAS NOT BEEN MADE AT LEAST 30 DAYS PRIOR TO FILING.

CERTIFICATION RIDER TO APPLICATIONS

I hereby certify that on the twenty-fifth day of October, 20 10

I have complied with the requirements of Section 64.2(a) of the Alcoholic Beverage Control Law, and sent notification of my application to become licensed, by certified mail, return receipt requested to the Clerk of the

☒ City ☐ Town ☐ Village of Buffalo

Or, in New York City, the Clerk of Community Board # _____

Borough of _____, where the premises are located.

Signature

Date

Roslyn M. Righetti
Name of applicant

OHM Ultra Lounge
Trade name (DBA)

948 Main Street
Premises street address

Buffalo NY 14202
City, State, Zip

PHONE LISTINGS FOR NEW YORK CITY APPLICANTS

If you are unsure of which community board serves the area in which your premises are located, call the number listed below for the office of your Borough President:

Manhattan
212-669-8300

Bronx
718-590-3500

Queens
718-286-2900

Staten Island
718-816-2200

Brooklyn
718-802-3700



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY

Standardized **ORIGINAL APPLICATION NOTICE FORM** for Providing a
30-Day Advance Notice to a Local Municipality or Community Board
in connection with the submission to the State Liquor Authority of the
Applicant's Original (First) On-Premises Alcoholic Beverage License Application
for the Establishment Identified in this Notice (Page 1 of 2)

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:		10	18	2	0	1	0
THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD								
2.	Name of the Local Municipality or Community Board:		OFFICE OF CITY CLERK					
3.	Street Address of Local Municipality or Community Board:		1308 CITY HALL					
4.	City, Town, or Village:		BUFFALO			NY	Zip Code: 14202	
5.	Telephone Number of Clerk of Local Municipality or Community Board:		716-851-4845					
ATTORNEY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S ORIGINAL (FIRST) ON-PREMISES ALCOHOLIC BEVERAGE LICENSE APPLICATION FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE								
6.	Attorney's Full Name is:		N/A					
7.	Attorney's Street Address:		N/A					
8.	City, Town, or Village:		N/A			State:	Zip Code:	
9.	Business Telephone Number of Attorney:		N/A					
THE APPLICANT WILL FILE AN ORIGINAL (FIRST) APPLICATION FOR AN ON-PREMISES ALCOHOLIC BEVERAGE LICENSE IN ORDER TO CONDUCT - WITHIN THE IDENTIFIED ESTABLISHMENT - THE TYPE OF BUSINESS DESCRIBED BELOW								
10.	Type(s) of Alcohol to be sold under the License (*X one):		<input type="checkbox"/> Beer Only <input type="checkbox"/> Wine and Beer Only <input checked="" type="checkbox"/> Liquor, Wine, and Beer					
11.	Extent of Food Service: (*X one)		<input type="checkbox"/> Restaurant (Sale of Food Primarily; Full Food Menu; Kitchen run by Chef) <input type="checkbox"/> Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a "stand-up" bar where patrons may receive direct deliveries of alcohol) <input checked="" type="checkbox"/> Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)					
12.	Type of Establishment:		<input type="checkbox"/> Hotel <input type="checkbox"/> Live Music <input type="checkbox"/> Disk Jockey <input type="checkbox"/> Juke Box <input type="checkbox"/> Patron Dancing (Small Scale) <input type="checkbox"/> Cabaret, Night Club, Discotheque (Large Scale Dance Club) <input type="checkbox"/> Capacity for 600 or more patrons					
	(*X all that apply)		<input type="checkbox"/> Club (e.g. Golf / Fraternal Org.) <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Catering Facility <input type="checkbox"/> Stage Shows <input type="checkbox"/> Topless Entertainment <input checked="" type="checkbox"/> Other (Specify): LOUNGE / RESTAURANT					
13.	Proposed Outdoor Area(s):		<input checked="" type="checkbox"/> None <input type="checkbox"/> Rooftop <input type="checkbox"/> Patio or Deck <input type="checkbox"/> Freestanding Covered Structure <input type="checkbox"/> Garden / Grounds <input type="checkbox"/> Other (Specify):					
14.	Will the proposed License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X one):		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO					
15.	Application Serial Number:		PENDING					
16.	The Applicant's Full Name, as it will appear in the application for the On-Premises Alcoholic Beverage License, is:		DAW J, LLC					
17.	The Full Name of the Applicant's proposed licensed Establishment (the Trade Name under which the proposed Licensed Establishment will conduct business) is:		THE OAK ROOM					
18.	The Applicant's proposed Licensed Establishment is located within the building which has the following Street Address:		1435 MAIN ST.					
19.	City, Town, or Village:		BUFFALO			NY	Zip Code: 14209	
20.	The proposed Licensed Establishment will be located on the following floor(s) of the building at the above address:		FIRST					
21.	Within the building at the above address, the proposed Licensed Establishment will be located within the room(s) numbered as follows:		1					
22.	Business Telephone Number of the Applicant:		716-316-7408					
23.	Business Fax Number of the Applicant:							
24.	Business E-Mail Address of the Applicant:		DENNIS@MRDWILSON.COM					
25.	IF YOU KNOW - Was there ever an alcoholic beverage license in effect for the space where you intend to operate your licensed establishment?		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		I Don't Know <input type="checkbox"/>	
OWNER OF THE BUILDING IN WHICH THE PROPOSED LICENSED ESTABLISHMENT WILL BE LOCATED								
26.	Does the Applicant own the building in which the proposed Licensed Establishment will be located? (*X one)		Yes <input type="checkbox"/>			If "YES", SKIP items No. 27, 28, 29, & 30 Go directly to Item No. 31, and complete the form.		
			No <input checked="" type="checkbox"/>			If "NO", ANSWER items No. 27, 28, 29, & 30. Then continue to Item No. 31, and complete the form.		
27.	Building Owner's Full Name is:		FORNESS PROPERTIES LLC					
28.	Building Owner's Street Address:		1435 MAIN ST.					
29.	City, Town, or Village:		BUFFALO			NY	Zip Code: 14209	
30.	Business Telephone Number of Building Owner:		716-883-0035					



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
STATE LIQUOR AUTHORITY

Standardized **ORIGINAL APPLICATION NOTICE FORM** for Providing a
30-Day Advance Notice to a Local Municipality or Community Board
In connection with the submission to the State Liquor Authority of the
Applicant's Original (First) On-Premises Alcoholic Beverage License Application
for the Establishment Identified in this Notice (Page 2 of 2)

IN ORDER TO MAKE SURE THAT PAGES 1 AND 2 OF YOUR NOTICE ARE NOT SEPARATED OR MISPLACED,
PLEASE RE-ENTER IMMEDIATELY BELOW THE INFORMATION REGARDING YOUR APPLICATION SERIAL NUMBER, NAME, AND TRADE NAME.
YOUR COURTESIES ARE APPRECIATED

15.	Application Serial Number:	PENDING
16.	The Applicant's Full Name, as it will appear in the application for the On-Premises Alcoholic Beverage License, is:	DAWJ, LLC
17.	The Full Name of the Applicant's proposed licensed Establishment (the Trade Name under which the proposed Licensed Establishment will conduct business) is:	THE OAK ROOM

INFORMATION REGARDING ANY BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES THAT IS CURRENTLY BEING OPERATED IN THE SPACE
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS PROPOSED LICENSED ESTABLISHMENT

31.	IF YOU KNOW - Is a business that is licensed to sell alcoholic beverages currently being conducted in the space where you intend to operate your licensed establishment?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	I Don't Know <input type="checkbox"/>
32.	Are you buying any asset(s) owned by the operator of the licensed business currently being conducted in the space where you intend to operate your licensed establishment? (For example: good will, equipment, furniture, cookware, dishware, etc.)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

IF YOU ANSWERED "YES" TO ITEM 31 or 32, SKIP ITEMS NO. 33 and 34. GO DIRECTLY TO ITEMS NO. 35, 36, 37, 38, 39, and 40.
IF YOU ANSWERED "NO" TO ITEMS 31 and 32, PLEASE PROVIDE THE INFORMATION REQUESTED BY ITEMS NO. 33 and 34.

IF A BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES IS NOT CURRENTLY BEING OPERATED IN THE SPACE
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS PROPOSED LICENSED ESTABLISHMENT, PLEASE PROVIDE
INFORMATION REGARDING ANY BUSINESS LICENSED TO SELL ALCOHOLIC BEVERAGES THAT WAS MOST RECENTLY OPERATED IN THE SPACE

33.	IF YOU KNOW - Was a business that was licensed to sell alcoholic beverages previously conducted in the space where you intend to operate your licensed establishment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	I Don't Know <input type="checkbox"/>
34.	Are you buying any asset(s) owned by the operator of the licensed business that was most recently conducted in the space where you intend to operate your licensed establishment? (For example: good will, equipment, furniture, cookware, dishware, etc.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

IF YOU ANSWERED "YES" TO ITEM NO. 31 or 32 or 33 or 34, THEN PLEASE ANSWER ITEMS NO. 35 and 36 and 37 and 38 and 39.

INFORMATION ABOUT THE OPERATOR OF THE LICENSED BUSINESS CURRENTLY BEING CONDUCTED (OR MOST RECENTLY CONDUCTED) IN THE SPACE
WHERE THE APPLICANT INTENDS TO OPERATE HIS/HER/ITS LICENSED ESTABLISHMENT. PLEASE PROVIDE THE FOLLOWING INFORMATION:

35.	IF YOU KNOW - The Full Name of the Operator of the licensed business now being conducted (or that was most recently conducted) in the space where you intend to operate your licensed establishment:	COCO'S on MAIN ST INC	I Don't Know <input type="checkbox"/>
36.	IF YOU KNOW - The Full Name of the licensed Establishment (the Trade Name) now being operated (or that was most recently operated) in the space where you intend to operate your licensed establishment:	COCO'S	I Don't Know <input type="checkbox"/>
37.	IF YOU KNOW - The alcoholic beverage license serial number of the business now being conducted (or that was most recently conducted) in the space where you intend to operate your licensed establishment:	3146534	I Don't Know <input type="checkbox"/>
38.	IF YOU KNOW - The Type of Alcoholic Beverage License held by the current (or most recent) licensed operator:	On Premise Liquor License	I Don't Know <input type="checkbox"/>
39.	IF YOU KNOW - Telephone Number of the current licensed operator or the most recent licensed operator:	716-883-0035	I Don't Know <input type="checkbox"/>

40. If the Original Application is approved, I am the Person who will hold the License or I am a Principal of the Legal Entity that will hold the License.
Representations in this form are in full conformity with representations made in documents that have been submitted (or documents that will be submitted) to the State Liquor Authority, and relied upon by the Authority.
I understand that representations made in this form will be also relied upon by the Authority, and that false representations in any document submitted to the Authority may result in revocation of any license that may be issued.
By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

Printed Name

DENNIS A. WILSON JR

Title

OWNER

Signature

x Denis A. Wilson Jr

No.

Leaves of Absence Without Pay

I transmit herewith notifications received by me, reporting the granting of the leaves of absence without pay, in the various departments as listed:

Mayor/Mayor Executive-

Comptroller-

Common Council-

Assessment and Taxation-

Public Works, Streets & Parks-

X Police- Bradford Pitts

Fire-

Corporation Counsel-

Community Services-

Economic Development & Permit and Inspection Services-

Management Information Systems

Administration, Finance & Urban Affairs-

Human Resources-

Civil Service Commission-

RECEIVED AND FILED.

November 3, 2010

SINGLE PAGE COMMUNICATION TO THE COMMON COUNCIL

TO: THE COMMON COUNCIL

DATE: October 14, 2010

FROM:

DEPARTMENT:

POLICE

DIVISION:

SUBJECT: | : Unpaid Leave of Absence

| :
| :
| :

PRIOR COUNCIL REFERENCE: (IF ANY) | : Item No.

Ex. (Item No. xxx, C.C.P. xx/xx/xx)

TEXT: (TYPE SINGLE SPACE BELOW)

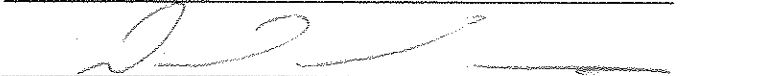
PO Bradford Pitts, assigned to Traffic has been granted a personal leave of absence without pay for the period of 34 days commencing October 15, 2010 through November 17, 2010.

DD/tlo

TYPE DEPARTMENT HEAD NAME: Daniel Derenda

TYPE TITLE: Commissioner of Police

SIGNATURE OF DEPARTMENT HEAD:



LEAVE OF ABSENCE REQUEST FORM

DATE: 10/6/2010NAME: Bradford PittsRANK: P.O.*SSN: XXX-XX-4987UNIT: Traffic

LAST FOUR (4) DIGITS ONLY

TYPE OF LEAVE

EDUCATIONAL ☐
EMPLOYMENT ☐
FAMILY MEDICAL ☐MATERNITY ☐
MEDICAL ☐
MILITARY ☐
PERSONAL ☒

- THE FAMILY MEDICAL LEAVE IS A 12 WEEK LEAVE FOR: CARE OF CHILD, SPOUSE, PARENT OR OWN MEDICAL HEALTH CONDITION (ADDITIONAL FORM REQUIRED)
- THE TAKING OF ANY LEAVE OF ABSENCE WILL RESULT IN THE LOSS OF THE PERFECT ATTENDANCE BENEFIT (PBA MEMBERS ONLY)
- SWORN MEMBERS REQUESTING A LEAVE OF ABSENCE IN EXCESS OF THIRTY (30) DAYS OR A CONSECUTIVE ACCUMULATION OF EXTENSIONS IN EXCESS OF THIRTY (30) DAYS; MUST SURRENDER THEIR DEPARTMENTAL WEAPON, RADIO, CAP SPRAY, BADGE, WREATH, & ID CARD PRIOR TO THE START OF THEIR LEAVE.

**FAILURE TO DO SO WILL RESULT IN THE REVOCATION OF THE LEAVE OF
ABSENCE AND THE CARRYING OF THE MEMBER AS BEING AWOL**

EXPLANATION OF LEAVE:

PERSONAL

DATES OF LEAVE

BEGINNING DATE: 10/15/10END DATE: 11/18/10 10RETURN DATE: 11/18/10LENGTH OF LEAVE: 34 DAYS

Bradford Pitts
EMPLOYEE SIGNATURE

APPROVED / DENIED / APPROVAL CONDITIONED UPON SURRENDER OF DEPARTMENTAL EQUIPMENT

[Signature]
POLICE INSPECTOR

10/14/10
DATE

APPROVED / DENIED / APPROVAL CONDITIONED UPON SURRENDER OF DEPARTMENTAL EQUIPMENT

[Signature]
POLICE COMMISSIONER

10/14/10
DATE

CC: ORIGINAL - ADMINISTRATION AND FINANCE (FILE)
LABOR RELATIONS
COMMANDING OFFICER

REQUESTING EMPLOYEE
CIVIL SERVICE COMMISSION
PAYROLL

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **10/19/2010**
 in the Department of **Common Council**
 Division of **Council Staff**
 to the Position of **Assistant Legislative Aide**
 Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one)
 Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **EXEMPT**
 Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **FLAT**
 (Enter Starting Salary) : Starting Salary of **\$ 27,018**

UNCLASSIFIED

LAST JOB TITLE	NAME	Jason Hurley
LAST DEPARTMENT	ADDRESS	60 Campbell Avenue
LAST SALARY	CITY & ZIP	Buffalo 14216
LAST 4 DIGITS OF SSN. XXX-XX-5460		

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP
LAST 4 DIGITS OF SSN. XXX-XX-	

~~REFERRED TO THE COMMITTEE ON CIVIL SERVICE~~

BUDGET ORG. CODE	10105001	TITLE CODE NO	3704
BUDGET ACCT. OBJ.	411001 PROJ. ID	PERSONNEL REQ. NO	5112
SALARY RANGE OF POSITION	27,018	PER YEAR DAY HOUR	YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Gerald A. Chwalinski**
 TITLE OF APPOINTING AUTHORITY: **City Clerk**
 DATE: **October 19, 2010**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)
 OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET
 #6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

ADOPTED

37

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

* * *
* * *
* * *
* * *

7 1
- 1

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **10/19/2010**
 in the Department of **Common Council**
 Division of **Council Staff**
 to the Position of **Sr. Legislative Assistant**
 Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one) **UNCLASSIFIED**
 Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **EXEMPT**
 Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **FLAT**
 (Enter Starting Salary) : Starting Salary of **\$ 46,083**

LAST JOB TITLE	NAME	Brian C. Bray
LAST DEPARTMENT	ADDRESS	665 Parkside Avenue
LAST SALARY	CITY & ZIP	Buffalo 14216
LAST 4 DIGITS OF SSN. XXX-XX-9255		

LAST JOB TITLE	NAME	
LAST DEPARTMENT	ADDRESS	
LAST SALARY	CITY & ZIP	
LAST 4 DIGITS OF SSN. XXX-XX-		

~~REFERRED TO THE COMMITTEE ON CIVIL SERVICE~~

BUDGET ORG. CODE	10102001	TITLE CODE NO	3699
BUDGET ACCT. OBJ.	411001 PROJ. ID	PERSONNEL REQ. NO	5113
SALARY RANGE OF POSITION	46,083	PER YEAR DAY HOUR	YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **Gerald A. Chwalinski**
 TITLE OF APPOINTING. AUTHORITY: **City Clerk**
 DATE: **October**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)
 OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET
 #6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

ADOPTED

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	6	*	2
	*	*	*	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

00042

151

No.

Appointments-Mayor's Youth Opportunity & Employment

I transmit herewith appointments made in the Mayor's Youth Opportunities and Employments Programs.

RECEIVED AND FILED.

November 3, 2010

39

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **NOVEMBER 1, 2010**

in the Department of **EXECUTIVE**

Division of **MAYOR**

to the Position of **INTERN IX**

Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one) **UNCLASSIFIED**

Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **NON-COMPETITIVE**

Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **HOURLY**

(Enter Starting Salary) : Starting Salary of **\$ 11.87**

LAST JOB TITLE	DATE	NAME	EDWARD BECK
LAST DEPARTMENT		ADDRESS	152 ELMWOOD AVENUE
LAST SALARY		CITY & ZIP	BUFFALO, NY 14201
LAST 4 DIGITS OF SSN. XXX-XX-			

LAST JOB TITLE	DATE	NAME	
LAST DEPARTMENT		ADDRESS	
LAST SALARY		CITY & ZIP	
LAST 4 DIGITS OF SSN. XXX-XX-			

REFERRED TO THE COMMITTEE ON CIVIL SERVICE


BUDGET ORG. CODE	10301001	TITLE CODE NO	1778
BUDGET ACCT. OBJ.	412002 PROJ. ID	PERSONNEL REQ. NO	
SALARY RANGE OF POSITION		PER YEAR DAY HOUR	HOUR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY: **BYRON W. BROWN**

TITLE OF APPOINTING AUTHORITY: **MAYOR**

DATE: **NOVEMBER 1, 2010**

SIGNATURE OF APPOINTING AUTHORITY: 

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET

#6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

00043

153

No.

Notices of Appointments - Seasonal/Flat

I transmit herewith certificates received by me, reporting seasonal and flat salary appointments made in various departments.

RECEIVED AND FILED.

November 3, 2010

40

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

10/18/10

in the Department of

Public Works

Division of

Parks

to the Position of

Laborer II

Permanent, Provisional, Temporary, Seasonal (Insert one)

SEASONAL

Appointment, Promotion, Non-Competitive (Insert one)

APPOINTMENT

Minimum, Intermediate, Maximum, Flat (Insert one)

FLAT

(Enter Starting Salary) : Starting Salary of:

\$11.87

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY & ZIP

Lawrence C. LoTempio

1458 Hertel Avenue Upper

Buffalo, NY 14216

LAST 4 DIGITS OF SSN. XXX-XX-5372

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

NAME

ADDRESS

CITY & ZIP

LAST 4 DIGITS OF SSN. XXX-XX-

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

14222001

BUDGET ACCT. OBJ.

412002

PROJ. ID

TITLE CODE NO

9624

SALARY RANGE OF POSITION

\$11.87

PERSONNEL REQ. NO

2009-090

PER YEAR DAY HOUR

HOUR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

10/5/10

SIGNATURE OF APPOINTING AUTHORITY:



ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)

OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET

#8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

155

No.

Appointments - Temporary, Provisional or Permanent

I transmit herewith Appointments in the various departments made at the Minimum (Temporary, Provisional or Permanent) (as per contract requirements) .

REFERRED TO THE COMMITTEE ON CIVIL SERVICE.

November 3, 2010

ek

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective:

10/18/10

in the Department of

Public Works

Division of

Engineering

to the Position of

Traffic Signal Technician

Permanent, Provisional, Temporary, Seasonal (Insert one)

PERMANENT

Appointment, Promotion, Non-Competitive (Insert one)

PROMOTION

Minimum, Intermediate, Maximum, Flat (Insert one)

FIRST STEP

(Enter Starting Salary) : Starting Salary of:

\$41,354LAST JOB TITLE **Electrician**LAST DEPARTMENT **DPW**LAST SALARY **38,615**DATE **9/10**LAST 4 DIGITS OF SSN. **XXX-XX-1086**

NAME

Nicholas R. Pugliese

ADDRESS

882 West

CITY & ZIP

Buffalo, NY 14213

LAST JOB TITLE

LAST DEPARTMENT

LAST SALARY

DATE

LAST 4 DIGITS OF SSN. **XXX-XX-**

NAME

ADDRESS

CITY & ZIP

REFERRED TO THE COMMITTEE ON CIVIL SERVICE

BUDGET ORG. CODE

13191001

BUDGET ACCT. OBJ.

411001 PROJ. ID

SALARY RANGE OF POSITION

\$41,354-\$47,517

TITLE CODE NO

7422

PERSONNEL REQ. NO

2010-33

PER YEAR DAY HOUR

YEAR

REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:

Steven J. Stepniak

TITLE OF APPOINTING AUTHORITY:

Commissioner

DATE:

9/29/10

SIGNATURE OF APPOINTING AUTHORITY:

William R. Heindel

ORIGINAL + 3 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)
 OTHER COPIES TO: #5- COMPTROLLER #6- HUMAN SERVICES/CIVIL SERVICE #7- BUDGET
 #8- DEPARTMENT #9- DIVISION #10- EMPLOYEE(S)

Certificate of Appointment

In compliance with provisions of Section 24-2 of the Charter and Chapter 35-1 of the Ordinances of the City of Buffalo, I transmit this certification of appointment(s) or promotion(s). I further certify that the person(s) named in Schedule "A" have been certified or approved by the Human Resources/Civil Service for the

Appointment Effective: **10/25/2010**
 in the Department of **FIRE**
 Division of **FIRE**
 to the Position of **ACCOUNT CLERK TYPIST**
 Permanent, Provisional, Temporary, Seasonal, Exempt, Unclassified (Insert one) **PROVISIONAL**
 Open-Competitive, Promotional, Non-Competitive, Exempt (Insert one) **OPEN-COMPETITIVE**
 Minimum, Intermediate, Maximum, Flat, Hourly (Insert one) **MINIMUM**
 (Enter Starting Salary) : Starting Salary of **\$ 30,829**

LAST JOB TITLE	NAME	Talisha Colston
LAST DEPARTMENT	ADDRESS	151 Hamlin Road
LAST SALARY	CITY & ZIP	Buffalo, New York 14208

LAST 4 DIGITS OF SSN. **XXX-XX-4981**

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP

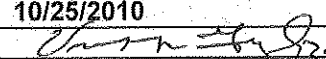
LAST 4 DIGITS OF SSN. **XXX-XX-**

LAST JOB TITLE	NAME
LAST DEPARTMENT	ADDRESS
LAST SALARY	CITY & ZIP

LAST 4 DIGITS OF SSN. **XXX-XX-**

BUDGET ORG. CODE		12131001	REFERRED TO THE COMMITTEE ON CIVIL SERVICE	TITLE CODE NO	0401
BUDGET ACCT. OBJ.	PROJ. ID		PERSONNEL REQ. NO	2010-52	
SALARY RANGE OF POSITION	30,829 - 34,015		PER YEAR DAY HOUR	YEAR	

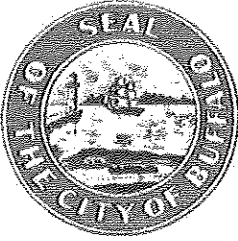
REASON FOR APPT. ABOVE THE MINIMUM:

NAME OF APPOINTING AUTHORITY:	VINCENT R. GUGLIUZZA
TITLE OF APPOINTING AUTHORITY:	DEPUTY COMMISSIONER
DATE:	10/25/2010
SIGNATURE OF APPOINTING AUTHORITY:	

ORIGINAL + 2 COPIES TO: CITY CLERK (ON/BEFORE APPOINTMENT DATE)
 OTHER COPIES TO: #3- COMPTROLLER #4- HUMAN SERVICES/CIVIL SERVICE #5- BUDGET
 #6- DEPARTMENT #7- DIVISION #8- EMPLOYEE(S)

NON-OFFICIAL COMMUNICATIONS, PETITIONS AND REMONSTRANCES

NON-OFFICIAL COMMUNICATIONS

**Bicycle-Pedestrian Advisory Board**

c/o Justin S. Booth
640 Ellicott Street
Buffalo, NY 14203

Date: Tuesday, October 26, 2010

To: City of Buffalo Common Council
Cc: City of Buffalo Mayor
Michael Ball, Buffalo Niagara Medical Campus

X Healthy City on the Great Lakes

At our monthly meeting held on October 4th, the Bicycle-Pedestrian Advisory Board unanimously passed the report: *Healthy City on the Great Lakes* (see enclosed). The report and the recommendations established within are meant to amend the city's comprehensive plan to improve the health and quality of life for Buffalo's residents. It is respectfully presented to the full council for consideration to officially adopt as an addendum to the comprehensive plan.

The report was developed through a grant received by the Buffalo Niagara Medical Campus (BNMC) from the Robert Wood Johnson Foundation to develop a Healthy Communities Addendum to *The Queen City on the 21st Century: Buffalo's Comprehensive Plan*, the principal policy document guiding decisions relative to land use and the built environment.

Healthy City on the Great Lakes documents the current walking and bicycling trends, as well as the conditions of the built environment that facilitates or limits our ability to be physically active as a part of our daily routine (active living) in the City of Buffalo. The report includes an analysis of demographic trends, GIS-based analysis of the built environment, documentation of pedestrian safety trends, and a review of existing plans, projects, and codes that supports active living. These current conditions create the basis for and justification of a set of recommendations and strategies that are anticipated to serve as an addendum to the city's comprehensive plan.

Your consideration in the adoption of this report and its recommendations is most appreciated.

Thank you,

Justin S. Booth
Chair
City of Buffalo
Bicycle & Pedestrian Advisory Board

Enc. *Healthy City on the Great Lakes*

REFERRED TO THE COMMITTEE
ON COMMUNITY DEVELOPMENT.

42

Healthy City on the Great Lakes

October 12

2010

Healthy Communities Initiative
Buffalo, New York

**Existing
Condition
Report Final**

Report drafted by: Kailee Neuner

Team Members: Michael Ball (Buffalo Niagara Medical Campus, Inc.), Justin Booth (Green Options, Buffalo), Kailee Neuner (University at Buffalo), and Samina Raja (University at Buffalo).

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Executive Summary

According to the US Department of Health and Human Services, adults should engage in moderate exercise, such as walking, a minimum of 30 minutes a day, 5 days a week, or participate in vigorous exercise, such as jogging, running, or rollerblading, for a minimum of 20 minutes a day, 4 days a week. It would be easier for people to obtain this level of physical activity by incorporating it into their daily routines, such as walking or bicycling to work, or within their leisure time in and around their neighborhoods. Many cities – including Buffalo – are exploring environmental and systemic solutions – through policy, planning, and design of cities – to make such active living possible.

This report documents the current walking and bicycling trends, as well as the conditions of the built environment that facilitates or limits active living in the City of Buffalo. The report includes an analysis of demographic trends, GIS-based analysis of the built environment, documentation of pedestrian safety trends, and a review of existing plans, projects, and codes. These current conditions form the basis of the active living policies proposed in the addendum.

The findings suggest that Buffalo has many opportunities as well as challenges in the area of active living. City residents have the potential to lead an active lifestyle. Data on the number of pedestrians in the city suggests there is already a culture of walking albeit on a small scale; this culture will likely reach a critical mass with significant environmental and systemic improvements. Traffic volumes on many of Buffalo's streets are low enough that lane width could be narrowed, or lanes could be removed altogether to make room for wider sidewalks, medians, or bike lanes. The notion of improving the built environment to make active living conducive is within the guidelines of existing plans, although no comprehensive 'active living' plan exists within the city. Key barriers to active living are safety concerns from crime and unmet infrastructure needs relating to deteriorating facilities, critical gaps within the multi-modal system and the lack of strategic system upgrades. The modification of Buffalo's plans and regulatory ordinances to support active living, combined with comprehensive efforts to educate officials, residents and community members, can make Buffalo a truly walkable and bikeable city for its residents.

Introduction

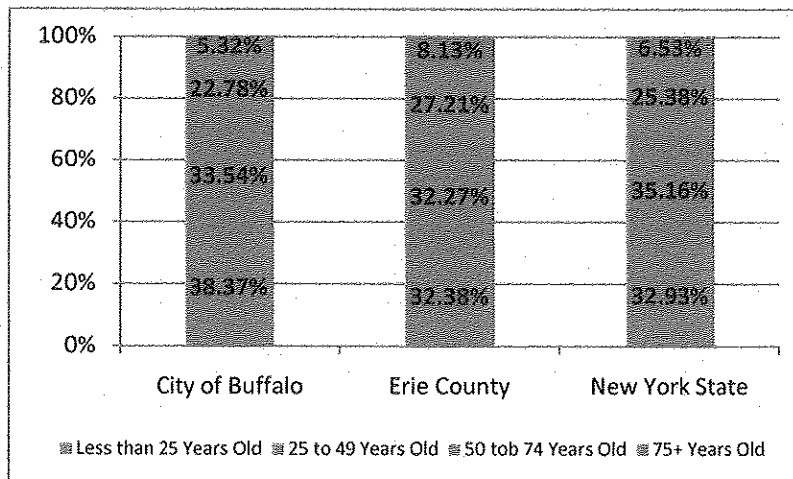
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Background

Population, Age, and Gender

The City of Buffalo is home to 263,366 residents, accounting for 28.9% of Erie County's population. Recent data from the American Community Survey suggests that the youngest age quartile (less than 25 years old) forms the largest proportion of residents, while the oldest age quartile (75+ years old) has the fewest residents (see Figure 1). Research suggests that among an adult population, the younger the residents, the more likely they are to walk or bike.* In Buffalo, there is an opportunity to create an active living culture among the younger residents.

Figure 1: Age Distribution, City of Buffalo



Data Source: American Community Survey 2008

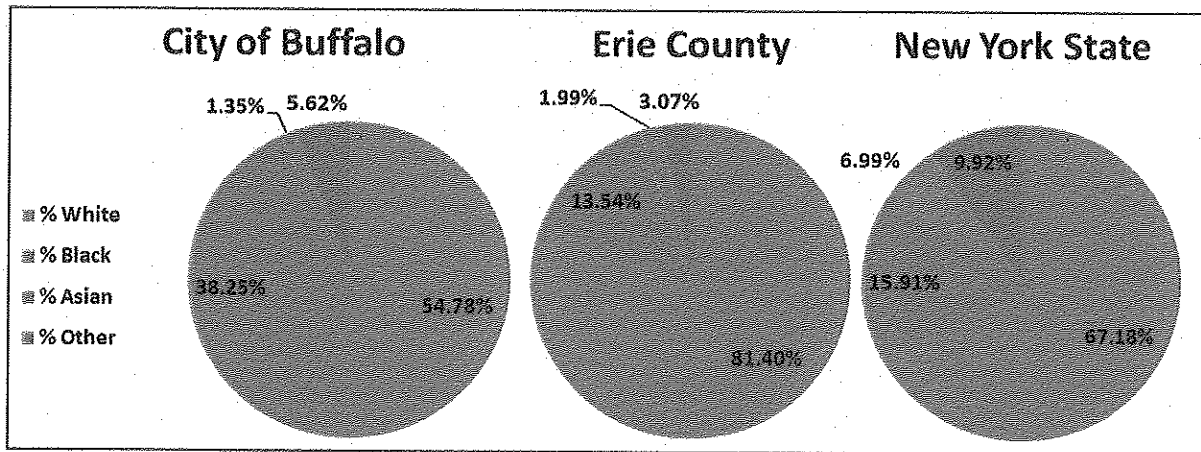
* Brian E. Saelens, 2003; L. H. E. James N. Roemmich, Samina Raja, Li Yin, 2007; Kelly R. Evenson, 2005; T. L. S. Lawrence D. Frank, James F. Sallis, James Chapman, Brian E. Saelens, 2005; Leonard H. Epstein, 2006; McMillan, 2005; Richard R. Suminski, 2005; Ryuichi Kitamura, 1997; X. C. Susan Handy, Patricia L. Mokhtarian, 2006; X. C. Susan Handy, Patricia Mokhtarian, 2005

Buffalo's population is relatively evenly split along gender lines: 52.79% of Buffalonians are female, while 47.21% are male. Gender-based considerations are important to take into account because women and men may exhibit disparate active living behaviors and preferences. For example, males are reported more likely to walk or bike than females.[†] This may be because of greater safety-related concerns among women.

Race and Ethnicity

Although the majority of Buffalo's population is Caucasian (54.78%), a significant proportion of the population is African American (38.25%) (see Figure 2). The proportion of African-Americans in Buffalo is higher than that in Erie County or New York State. Buffalo has a moderate percentage of Hispanic residents (8.19%) as well. African Americans and Hispanics are more likely than any other race to walk or bike,[‡] specifically for walking or bicycling to work.

Figure 2: Distribution of Population by Race



Data Source: American Community Survey 2008

Educational Attainment

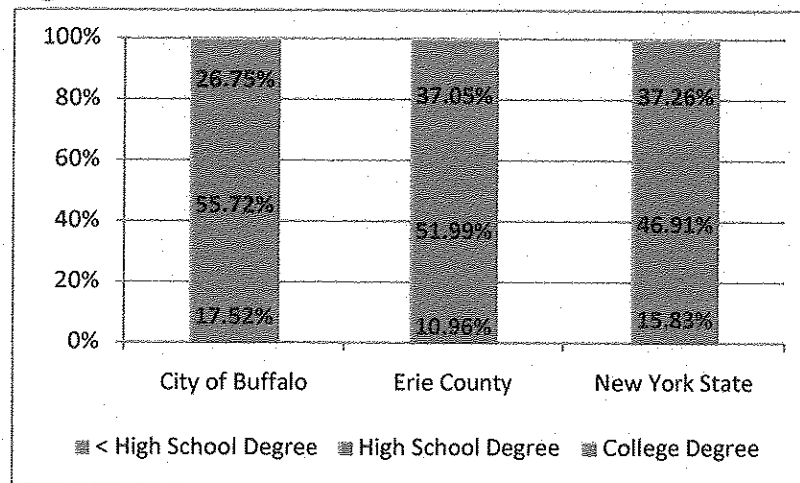
A majority of Buffalo residents of ages 18 years and older have earned at least a high school degree. Slightly more than a quarter have completed college level education. The educational attainment in the city is lower than that of the surrounding county and New York State (see Figure 3). Research suggests the higher a person's educational attainment, the more likely they are to walk or bike for leisure.[§]

[†] Brian E. Saelens, 2003; Kevin J. Krizek, 2006; M. A. A. Lawrence D. Frank, Thomas L. Schmid, 2004; Robert Cervero, 2003; X. C. Susan Handy, Patricia L. Mokhtarian, 2006

[‡] Day, 2006; Kelly R. Evenson, 2005; Robert Cervero, 2003

[§] Day, 2006; Kelly R. Evenson, 2005; J. F. S. Lawrence D. Frank, Terry L. Conway, James E. Chapman, Brian E. Saelens, William Bachman, 2006; T. L. S. Lawrence D. Frank, James F. Sallis, James Chapman, Brian E. Saelens, 2005; Richard R. Suminski, 2005; X. C. Susan Handy, Patricia L. Mokhtarian, 2006

Figure 3: Educational Attainment

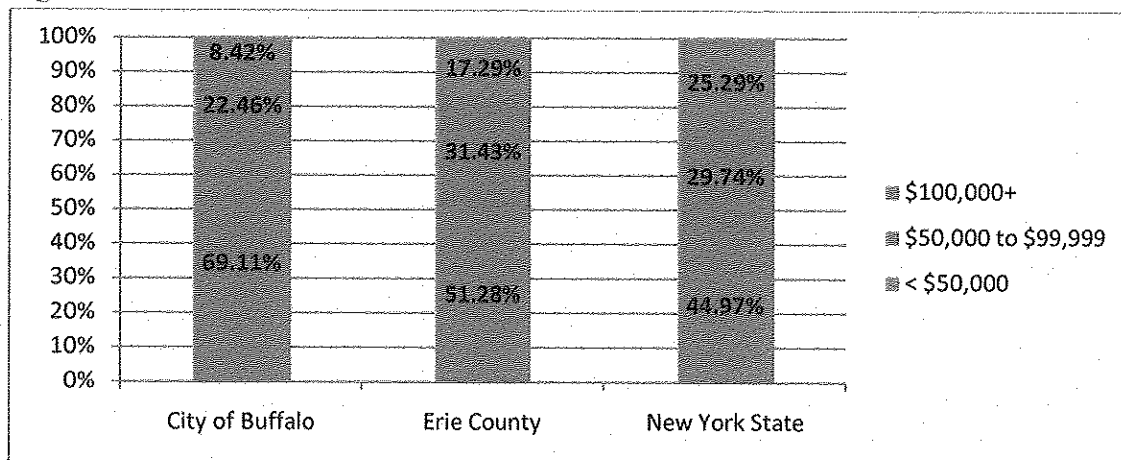


Data Source: American Community Survey 2008

Household Income

As shown in Figure 4, nearly 70% of households within the City earn less than \$50,000 a year. The conditions in the county and state are better where about 48% and 54% of the population earns more than \$50,000 per year, respectively.

Figure 4: Household Income



Data Source: American Community Survey 2008

Availability of Vehicles

People with access to vehicles are less likely to be physically active than those without.** The majority (~86%) of Buffalo residents who work have access to a vehicle. This percentage is much lower than Erie County but higher than New York State.

** Kevin J. Krizek, 2006; Robert Cervero, 2003; Ryuichi Kitamura, 1997

Active Living Behavior and Perceptions

As previously noted, according to the US Department of Health and Human Services, adults should engage in moderate exercise (such as walking) a minimum of 30 minutes a day, 5 days a week, or participate in vigorous exercise (such as jogging, running, or rollerblading) for a minimum of 20 minutes a day, 4 days a week.^{††} This level of physical activity may be obtained through daily routines, such as walking and bicycling to work. Current walking/bicycling trends among Buffalonians are described below.

Overall Walking and Bicycling Behavior in Buffalo

Results from a recent web-based survey suggest that Buffalo residents do not meet minimum recommended physical activity levels. Only 28% of survey respondents reported walking more than 30 minutes a day, and only 19% jog/run/roller blade more than 20 minutes a day. The majority of respondents walk between 10 to 20 minutes a day. Residents report engaging in these activities for exercise and personal enjoyment.

Bicycling appears to be more common among the survey respondents. About 85% of respondents report having access to a bicycle. Seventy-three percent of these individuals ride it either daily or weekly. Most respondents ride their bicycle between 1-5 miles daily on the city streets. They usually ride for personal enjoyment; very few use bicycles for commuting or for sport and competition.

Residents' Opinions about Walking and Bicycling Conditions in the city

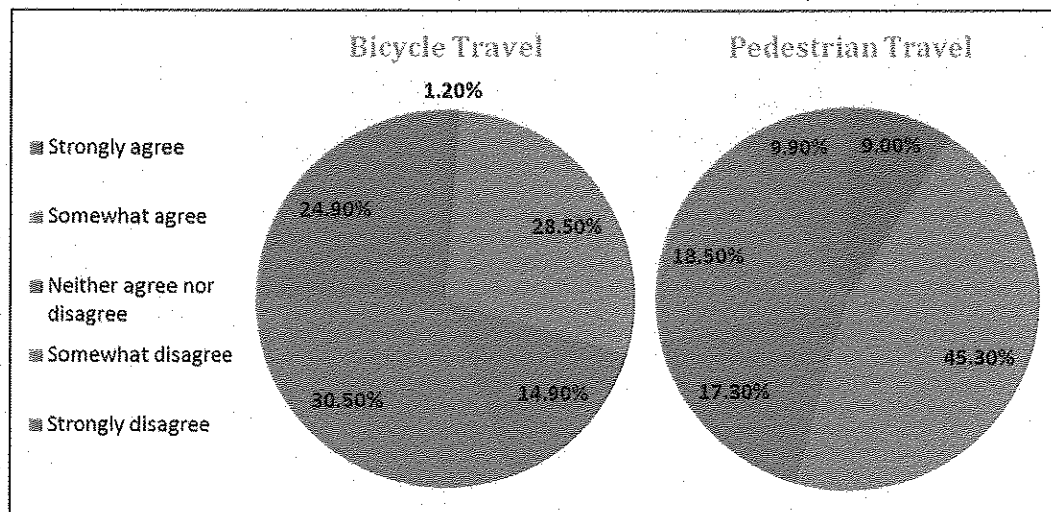
Residents express concerns about walking and bicycling infrastructure in the city, with greater concern about limited bicycling infrastructure than that for walking. Over half of the survey respondents agreed that conditions in the city are "friendly" for pedestrian travel (see Figure 5). Those who disagree cite poor condition of sidewalks and lack of motorist education as major problems.

Residents' view of bicycling infrastructure is bleak. More than half of the respondents disagreed or strongly disagreed that the city was friendly toward bicycle travel. Respondents pointed to a lack of designated bike lanes as one condition that made bicycling unsafe in the city (see Figure 5). Many riders reported that automobiles tend to drive too close, forcing bicyclists off the road.

Ninety-three percent of respondents reported that they would be more likely to ride in a separate lane for bicyclists if one were made available. Additionally, 87% of respondents would bike more if secure bicycle parking was made available at their destinations. Most respondents would like to be able to reach parks and recreation trails, and the downtown, by walking or cycling.

^{††} U. D. o. H. a. H. Services, 2008

Figure 5: Conditions in the City of Buffalo are Friendly for...

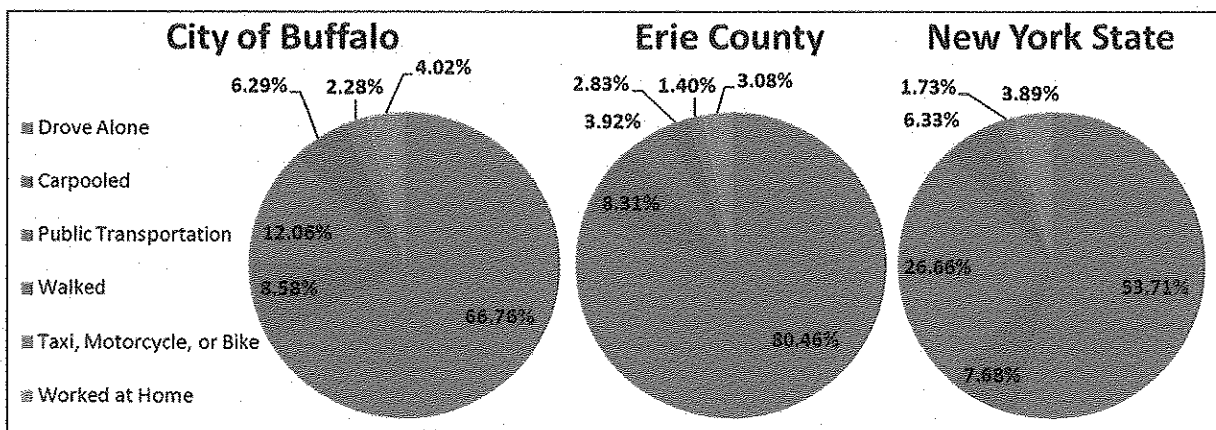


Data Source: Healthy Communities in Buffalo Survey

Active Transportation to Work

Mirroring active transportation trends in Erie County and New York State, a small percentage (8.58%) of Buffalo residents walk to work. The majority (66.76%) drive to work alone. Travel mode choice in Buffalo is more similar to the State than the County (see Figure 6).

Figure 6: Mode of Transportation to Work



Data Source: American Community Survey 2008

Pedestrian activity

The Greater Buffalo-Niagara Region Transportation Council (GBNRTC) monitors pedestrian activity by counting the number of pedestrians along select arterials throughout the City.** Figure 7 shows the pedestrian counts in these locations. As shown, pedestrian activity is not evenly distributed throughout

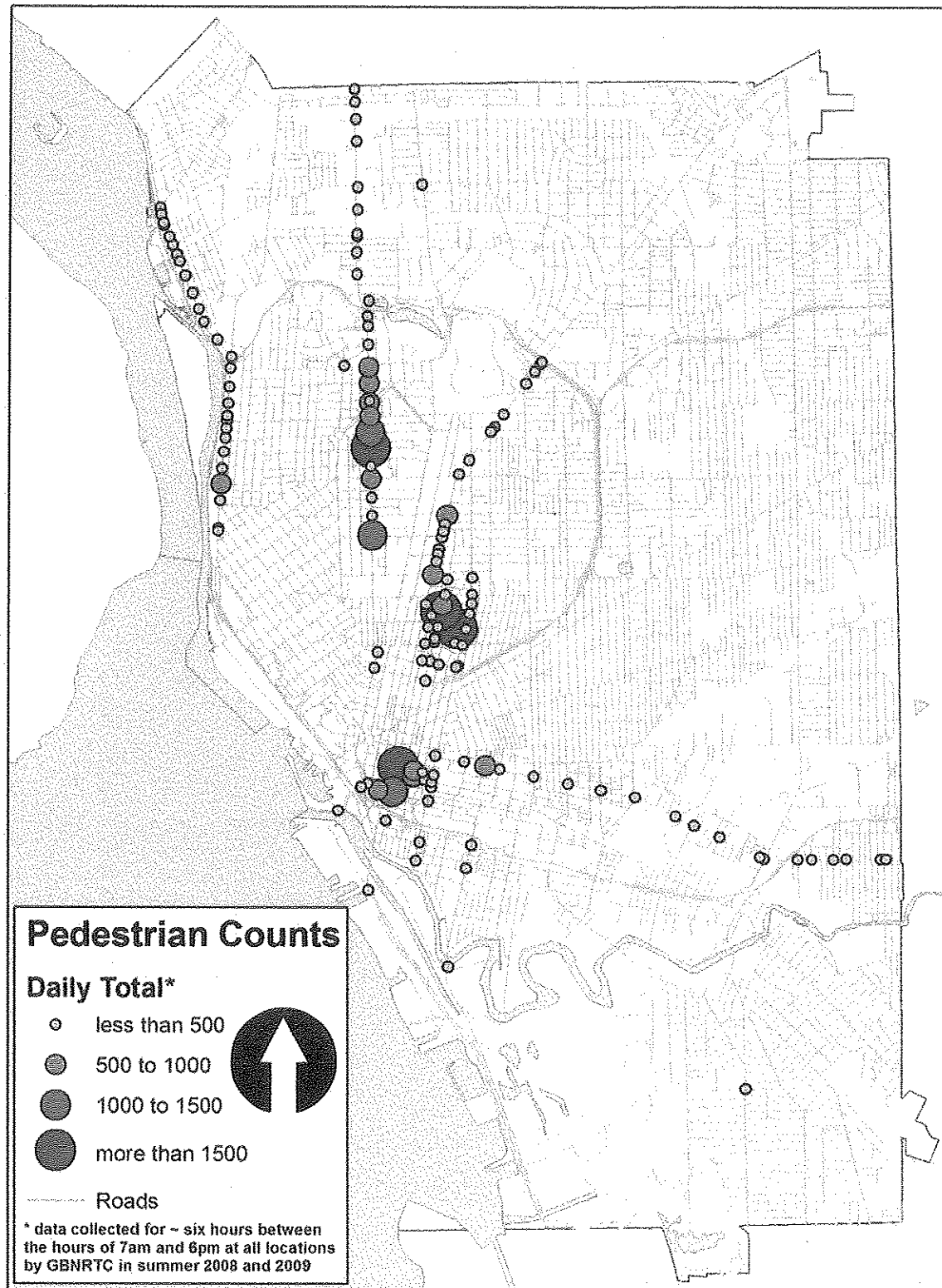
** The data presented in Figure 7 was collected throughout the summer of 2008 and 2009. The GBNRTC chose to focus on the Downtown area, Clinton St, Main St, Elmwood Ave, and Niagara St. There was also a focus on the area surrounding the Buffalo Niagara Medical Campus (BNMC).

the City; however, all intersections surveyed had at least some pedestrians. Pedestrian traffic is heavy around Downtown, the BNMC, and along Elmwood Ave from Bryant St. to Forest Ave.

Ambulatory Disability

People's willingness to make use of available walking infrastructure depends on their ability to walk. Unfortunately, over 1 in 10 Buffalo residents (5+ years old) have an ambulatory disability, i.e., difficulty walking. This rate is higher than both Erie County's and New York State's rates.

Figure 7: Pedestrian Counts along Select Arterials



Data Source: Greater Buffalo Niagara Regional Transportation Council

Active Living Features of the Built Environment

The built environment greatly affects a person's choice and ability to have an active lifestyle. Zoning and land use determine what, if any, destinations are within walking or bicycling distance of one's home. Sidewalks, bike lanes, and public transportation either support or hinder an active lifestyle depending on their location and condition. Street trees support active living by making for a visually appealing walking environment, and also add to the environmental quality and vitality of neighborhoods.

Land Use

Walkable communities offer a mix of land uses that support active living behavior. Such communities have land dedicated to park land, a dense built environment, and a mix of land uses. Indeed Buffalo has many of these features (see Figure 8). Home to the fabled Olmsted Parkway system, Buffalo has a total of 1465 acres of park land, which amounts to about 242.4 square feet of park land per city resident.

People are also more likely to bike and walk in places with denser built environments.^{§§} One way to measure a neighborhood's density is through net residential density, or the number of housing units per acre of residential land. The City of Buffalo has a relatively high residential density of 20.09 housing units per acre (By way of comparison, the city of Atlanta, GA has an average net residential density of only 8.61 housing units per acre).

Neighborhoods that contain a mix of uses encourage people to walk or bike.^{***} A mix of land uses is important because it places a variety of land uses such as retail, offices and homes, within walking and bicycling reach of residents, workers, and visitors. Walkable communities increase the convenience of active modes of travel, thereby expanding transportation options for all users.

According to a recent land use map of Buffalo, most residential neighborhoods are within a reasonable walking distance (1/4 mile)^{†††} of multiple commercial parcels (see Figure 8). Researchers commonly measure the mix of land uses using an entropy score where the number zero (0) represent complete separation of land uses (i.e. only one land use predominates), while a score of one (1) represents an even distribution of land across a variety of land uses (e.g. residential, commercial, parks, etc.). The City of Buffalo scores a 0.66 suggesting that land use is relatively diverse.

The historic park system, the relatively high residential density and mixed-land use are built environment assets that can support active living among Buffalonians.

^{§§} See Anne Vernez Moudon, 2006; Boarnet, 2006; Brian E. Saelens, 2003; Eva Leslie, 2005; James F. Sallis, 2004; L. H. E. James N. Roemmich, Samina Raja, Li Yin, Jodie Robinson, Dana Winiewicz, 2006; J. F. S. Lawrence D. Frank, Terry L. Conway, James E. Chapman, Brian E. Saelens, William Bachman, 2006; T. L. S. Lawrence D. Frank, James F. Sallis, James Chapman, Brian E. Saelens, 2005; Lise Gauvin, 2005)

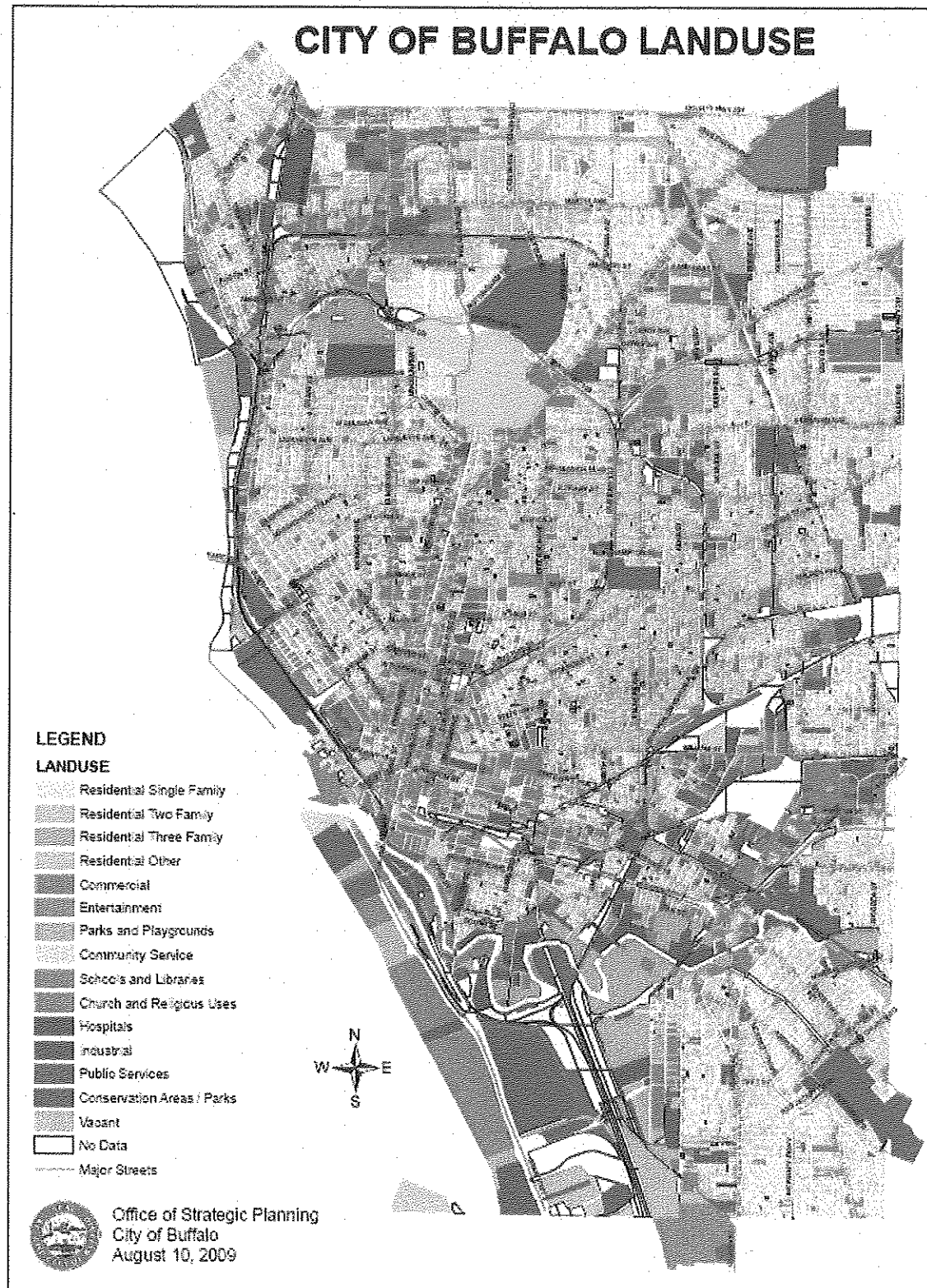
^{***} See Brian E. Saelens, 2003; Cervero, 1996; Eva Leslie, 2005; James F. Sallis, 2004; J. F. S. Lawrence D. Frank, Terry L. Conway, James E. Chapman, Brian E. Saelens, William Bachman, 2006; T. L. S. Lawrence D. Frank, James F. Sallis, James Chapman, Brian E. Saelens, 2005.

^{†††} See Boarnet, 2006; Christine M. Hoehner, 2005; McMillan, 2007

Despite the advantage of having a relatively mixed-use urban form, the land use in Buffalo also poses some challenge as well. Specifically, vacant parcels are scattered throughout the City with a majority located on the East Side (see Figure 8). The presence of vacant parcels makes for an aesthetically displeasing active living environment.

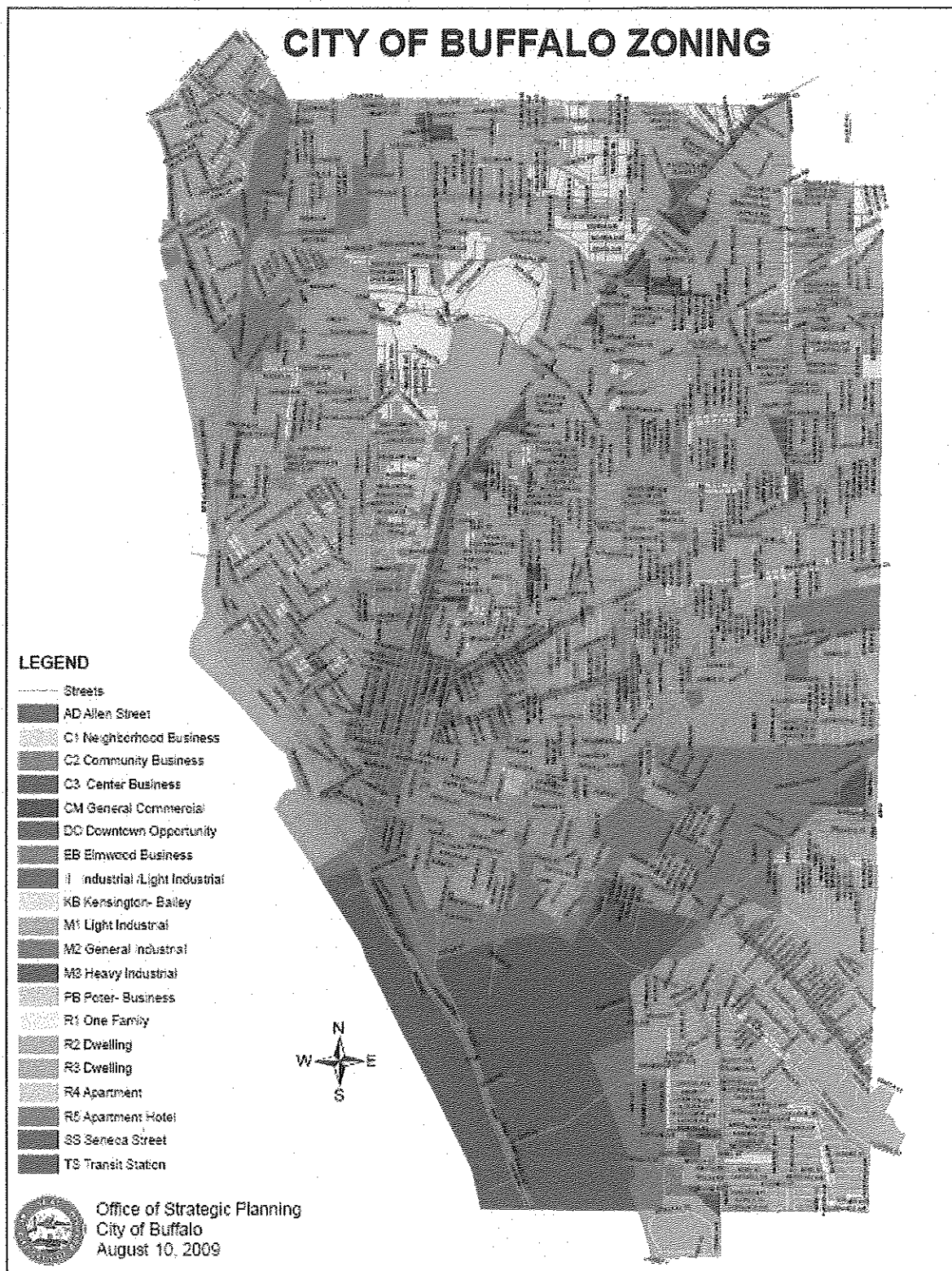
The land use in the City of Buffalo is a byproduct of its zoning code. Commercial districts are zoned along major streets such as Hertel Ave., Genesee St., Sycamore St., and Broadway St. Industrial districts tend to be in South Buffalo and along the Niagara River. The downtown has its own zoning district known as the Downtown Opportunity District. Main Street is lined with transit station zoning districts. The remainder of the City is largely zoned residential (see Figure 9).

Figure 8: Land Use in the City of Buffalo



Source: Office of Strategic Planning

Figure 9: Zoning Districts



Source: Office of Strategic Planning

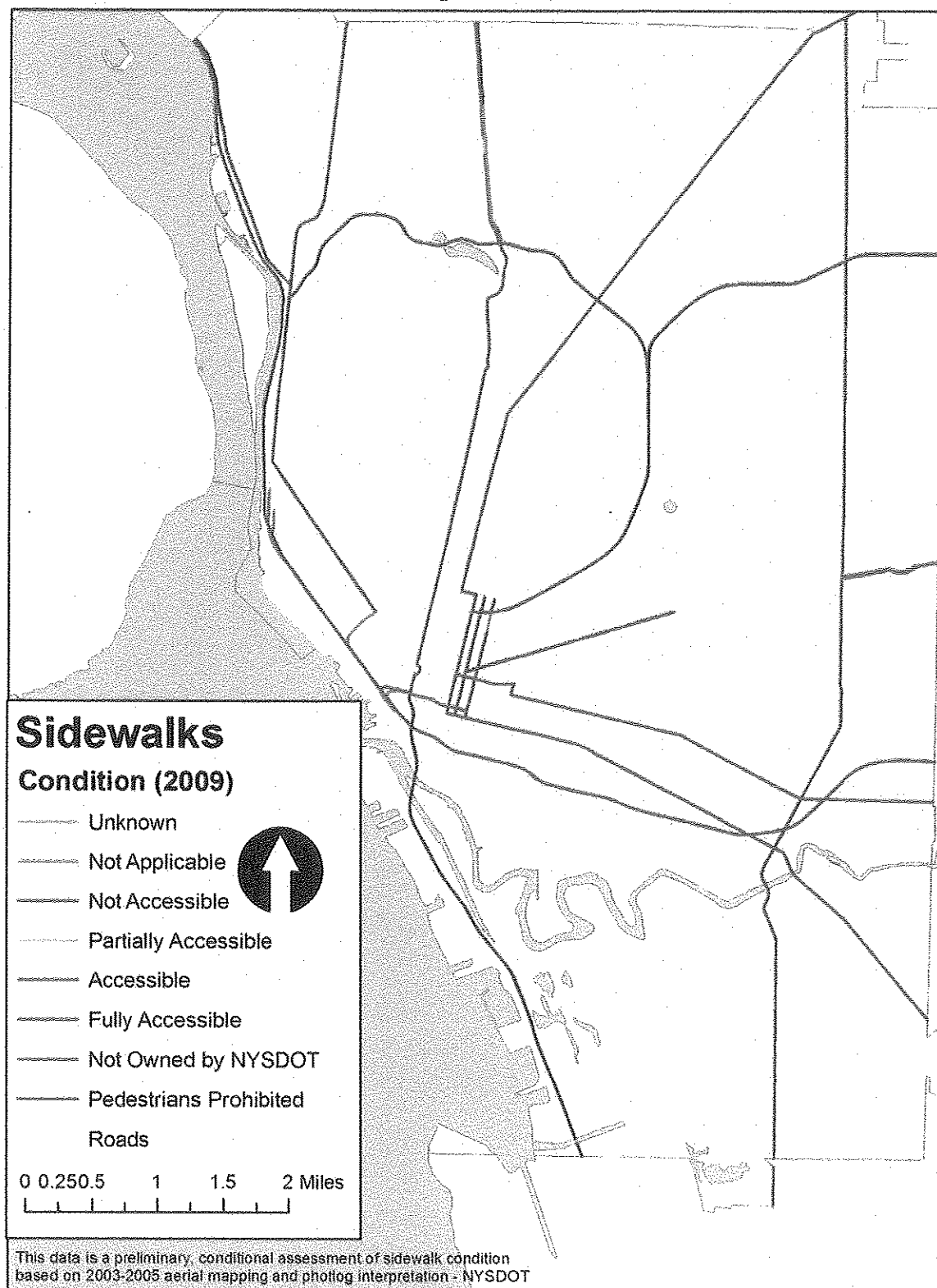
Sidewalks, Curb Ramps, and Crosswalks

Sidewalks, curb ramps, and crosswalks are critical in a person's ability to walk and bike.⁺⁺⁺ Sidewalks are available throughout the city of Buffalo; however, there is limited data available about their condition and quality.^{§§§} As shown in Figure 10, the majority of sidewalks along NYS routes in the City of Buffalo are either not owned by the state or pedestrians are prohibited. Conditions of most sidewalks along the Elm / Oak corridor and northern portions of Delaware Ave are accessible to fully accessible. In general, the condition of curb ramps mirrors that of the sidewalks along state routes in the City of Buffalo (see Figure 11). The majority of intersections are signalized, non-signalized intersections are addressed in a discretionary manner by NYS DOT.

⁺⁺⁺ Brian E. Saelens, 2003; Eva Leslie, 2005; McMillan, 2005

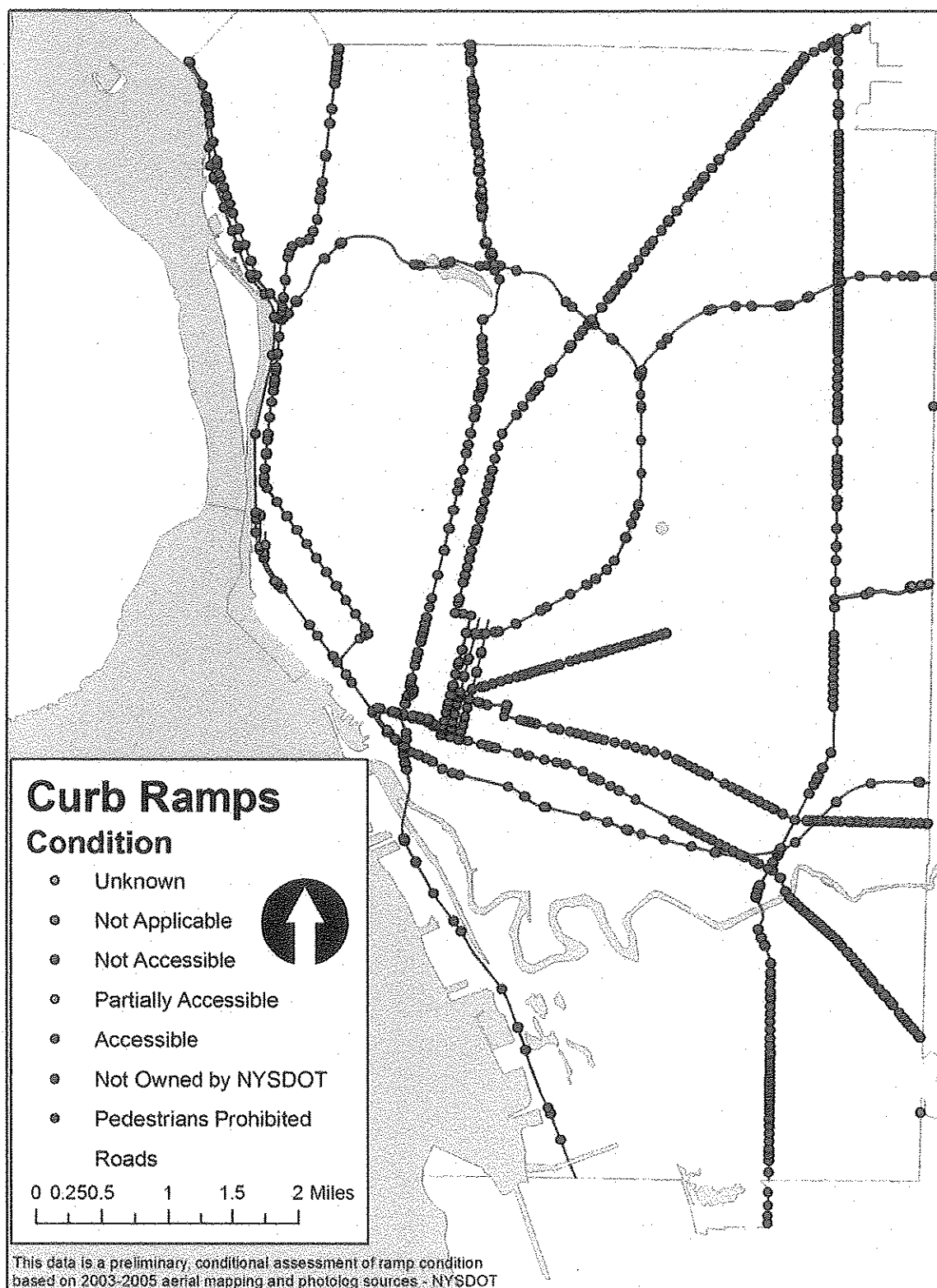
^{§§§} Within the City of Buffalo, sidewalk data including location and condition is only available along state routes through the New York State Department of Transportation (NYSDOT).

Figure 10: Sidewalk Condition along State Routes in Buffalo



Data Source: New York State Department of Transportation

Figure 11: Curb Ramp Condition along State Routes in Buffalo



Data Source: New York State Department of Transportation

Bicycle Lane and Multi Use Trail Network

Many communities support walking and bicycling through the provision of bicycle lanes and multi-use trail networks. The City of Buffalo has a limited network of bicycle lanes and multi-use networks. This network is shown in Figure 12.

In 2008, the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) designated certain roadways as part of a Regional Bikeway Network (see Figure 12). The GBNRTC assessed the degree to which these roadways offered a comfortable riding experience to bicyclists by assigning Bicycle Level of Service (BLOS) ratings for its Bicycle Route Guide. This rating system identifies whether a road is "suitable for riding," "caution is advised," or "extreme caution advised/ experienced cyclists only." **** Unfortunately, the majority of road segments in the City of Buffalo which are included in the Bicycle Route Guide are rated as "caution is advised".

Multi-use trails are also included in this guide, several of which exist throughout the City of Buffalo including Riverwalk, Outer Harbor/Tifft Street, the Scajaquada Path, and the South Park Path (see Figure 12). These trails provide scenic paved pathways for cyclists, walkers, and other users, and are separated from automobile traffic. Most of these trails link the City with the Greater Buffalo Niagara Region. These trails are described briefly below:

Riverwalk - This multi-use trail runs along the Niagara River from North Tonawanda's Gratwick Riverside Park to Buffalo's Naval Park. It connects a long series of parks located on the river's edge. Additionally, there is a Canadian trail which links Riverwalk to the Canadian Niagara River Trail through the Peace Bridge. Another spur crosses onto Grand Island. ****

Outer Harbor / Tifft Street - Four miles of multi-use trail runs along Lake Erie past the Tifft Farm Nature Preserve. This trail also runs near South Park which has a multi-use path of its own.

Scajaquada Path - This trail runs along the Scajaquada Creek from Delaware Park to Riverwalk. It is about three miles long and took decades to complete due to difficulty attaining easements. This path connects the crown jewel of Buffalo's Olmstead Parks with the greater Buffalo Niagara Region. ****

South Park Path - This short circuitous path runs throughout Buffalo's South Park. South Park is home to the Buffalo and Erie County Botanical Gardens. §§§§

**** GBNRTC, 2008

†††† County, 2009; GBNRTC, 2008

†††† Buckham, 2007

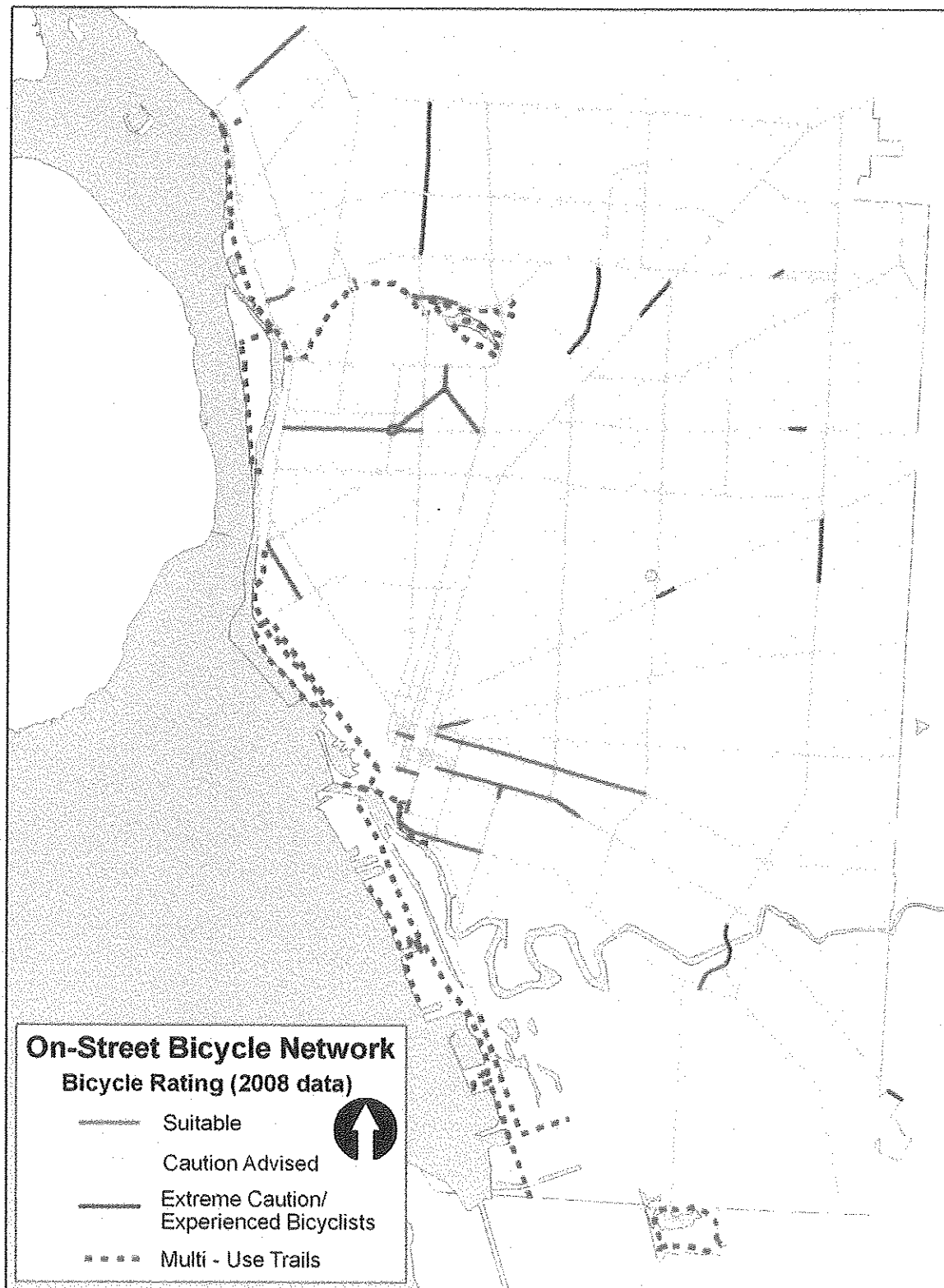
§§§§ GBNRTC, 2008

Bicycle Parking

Bicycle theft is recognized as a significant barrier to active transportation. The availability of safe, convenient and easily accessible bicycle parking is frequently overlooked and not provided at end of trip destinations. The City of Buffalo has adopted a bicycle parking ordinance (Chapter 307, Parking and Parking lots ARTICLE I, Bicycle Parking) that states the following: *Bicycle parking facilities shall be provided for any new building, addition, parking lot or enlargement of an existing building, or any change in the occupancy of any new building that results in the need for additional auto parking facilities.*

In addition Green Options Buffalo and the city have partnered in the development of the commercial district bicycle parking program. This has allowed businesses located within commercial districts to reserve a bicycle rack. In 2009, this joint program installed 170 bicycle racks in commercial districts throughout the city.

Figure 12: Bicycle Lane and Multi Use Trail Network and Suitability



Data Source: Greater Buffalo Niagara Regional Transportation Council

Public Transportation Routes

The availability of public transportation increases the possibilities for active living. People must walk or bicycle from their point of origin to the bus or metro stop. They then must walk or bicycle to their destination once dropped off at a convenient stop. Providing convenient access to multi modes of travel encourages time spent living actively.

At present NFTA Metro operates one MetroRail route, 38 local bus routes, 17 express bus routes, 10 school day only routes, and 9 Metrolink routes. (see Figure 13). According to the NFTA, about 83% of the average weekday passenger activity occurs within the City of Buffalo. The current typical weekday ridership is approximately 90,000 (21,000 rail and 69,000 bus). Of the Metro routes that operate primarily in the City, they are divided into 3 groups in terms of typical frequencies. First are the primary routes with highest ridership including, routes 3,4,5,6,12,13,19,20,23,24,25. These operate approximately 10-15 minute headways during peak hours and 30-45 minutes off-peak. The second group is more support routes, including routes 1,2,7,8,11,14,15,16,26,32 which operate approximately every 20-30 minutes during peak hours and 45-60 minutes off-peak and at night. Two routes, 18 & 22 operate about every 45-60 minutes throughout the day. On weekends the primary routes operate every 30-45 minutes and the secondary about every 60 minutes. Metro rail operates approximately every 10 minutes through the day and 15-20 minutes at night and on weekends. These forms of public transportation connect the City to the Greater Buffalo-Niagara Region. As of September 1, 2010 fares range from \$0.75 to \$1.75 per ride depending on the passenger's age or eligibility for reduced fare (see Table 1).

TABLE 1: NFTA FARES

Passenger Type	Fare	Day Pass	Monthly Pass
Adult	\$1.75	\$4.00	\$64.00
Child (5-11 yrs.)			
Senior Citizen (65 and older)	\$0.75	\$2.00	\$32.00
Disabled & Medicare Recipients			
Metro Rail is entirely in Zone 1, making standard fare \$1.75			
Children four years and under ride free with fare paying adult passenger (limit of three children per fare paying adult)			

Source: Niagara Frontier Transportation Authority

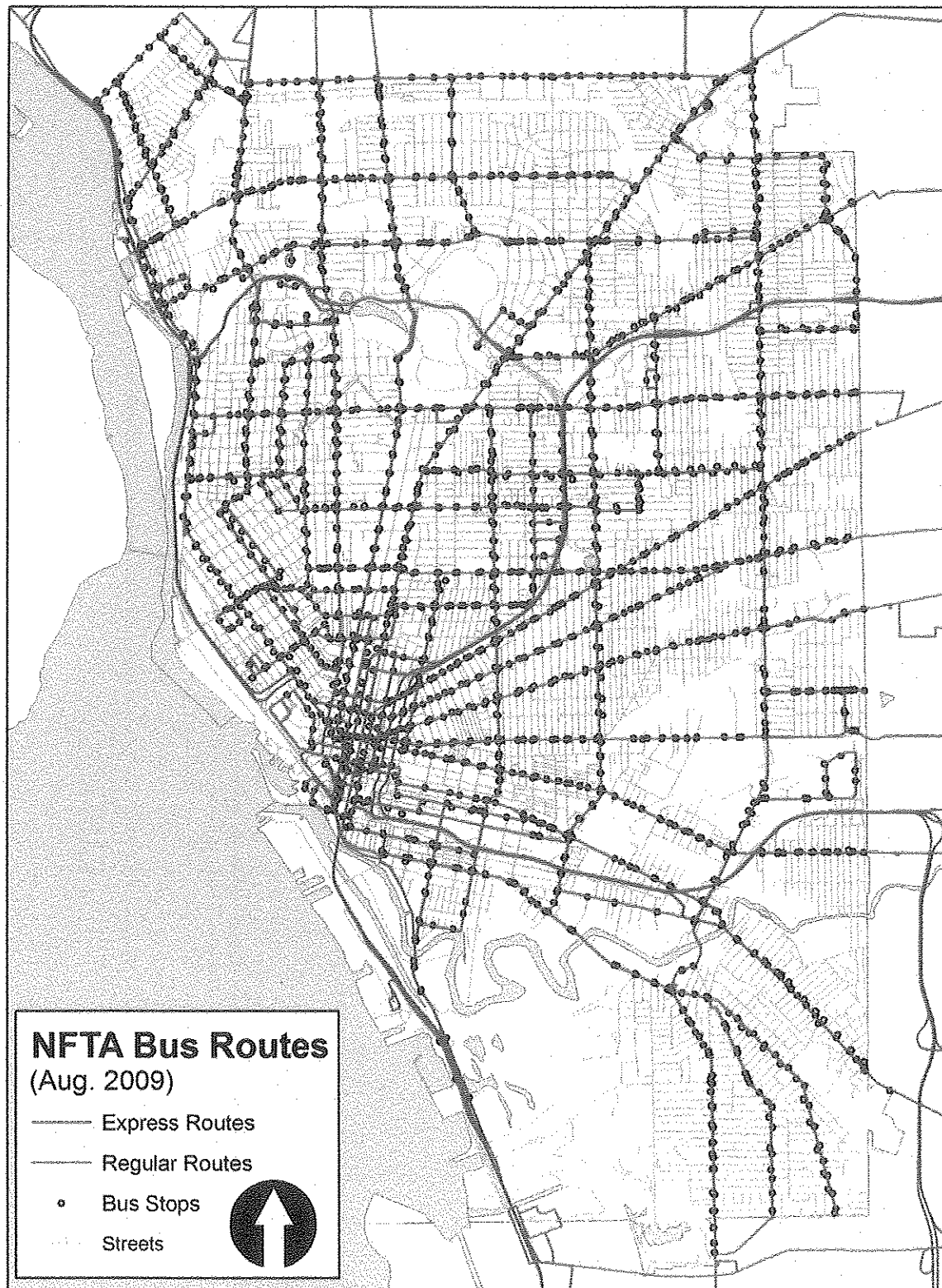
Bicycles on Metro

Only a few of the buses in the NFTA fleet are equipped with bike racks. Currently, racks are available on 91 out of 324 buses or 28%. The NFTA will be receiving another 85 new buses over the next 12 months and at that point 54% of the fleet will be equipped with racks. The current NFTA policy is that all new buses purchased will be equipped with bike racks. Despite progress, a considerable barrier to utilizing the system exists when in conjunction with a bicycle. Currently, the same buses are not used on the same routes at all times. A person may be able to put their bicycle on the bus on one leg of the journey but may not be able to use the bus on the way back. The metro rail allows two bicycles per train car. The bicycles are required to be placed in the area for disabled individuals (assuming the area is not under use by such an individual).

Metro Bus Shelters

There are currently 165 bus shelters in the City of Buffalo. Currently, NFTA has a goal of installing 20 new bus shelters per year using Federal Transit Administration Enhancement funds. New shelter locations are determined based on need and relevance. The number of daily passenger boardings at a stop is the primary determination, however, other factors are considered in the site selection such as adjacent land uses and facilities, exposure to the elements, frequency of service, i.e. long waiting times, and equitable distribution of shelter throughout Metro's service area in accordance with FTA's Environmental Justice requirements.

Figure 13: NFTA Public Transportation Routes and Stops



Data Source: Niagara Frontier Transportation Authority

Street Trees

Street trees offer many benefits for active living. They create an aesthetically pleasing outdoor environment, enhance the quality of life, and most importantly create a more enjoyable walking experience. Trees are known to reduce ambient temperature 5-15 degrees. Trees absorb up to 60% of most precipitation reducing potential flooding. Trees also benefit property owners of adjacent homes: researchers report a \$15-25,000 increase in home and business value on tree lined streets ***** Businesses located on tree lined streets report 20% higher income streams when compared to businesses on streets with no trees

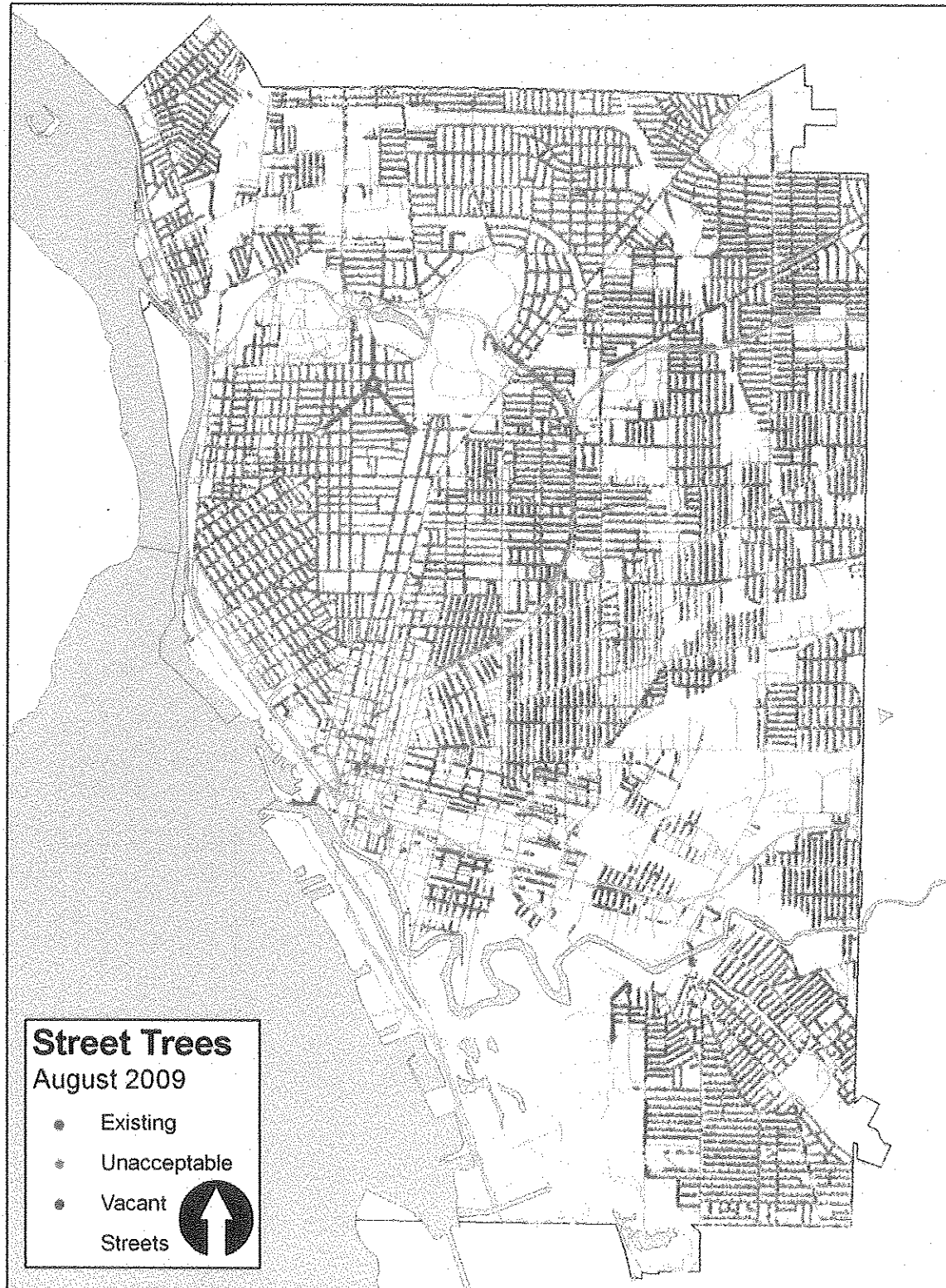
Researchers also report that trees along thoroughfares reduce traffic speeds by 3-15 miles per hour (mph). In other words, trees work as a calming device that makes the road/sidewalk network more conducive to walking and bicycling. It is therefore not surprising that studies report a 5-20% reduction of crashes on streets with trees.

City of Buffalo has a sizable tree canopy but the potential for increasing this is significant. Figure 14 is a map of the City of Buffalo's street trees. Current trees are shown in green, unacceptable trees (need to be cut down) in yellow, and available planting locations in red. There are approximately 57,000 existing trees, 5,500 unacceptable trees, and 47,000 available planting locations throughout the City.

The map suggests the west side of Buffalo already has many existing trees while the east side has the potential to plant many more. Also, it should be noted that the complete absence of locations to plant trees within and along Business Districts such as Downtown, Grant Street, Niagara Street, Genesee Street, Broadway and others needs to be addressed.

***** Burden, 2006

Figure 14: Street Tree Cover, Buffalo NY



Data Source: City of Buffalo Urban Forester

Safety and Active Living in Buffalo

Safety trends affect the likelihood a person will choose to walk or bike. People can feel unsafe for a multitude of reasons, the first being crime. If crime rates are high, people are less likely to be active. People can also feel unsafe in areas with high traffic volumes or along designated streets for truck routes. Lastly, areas can be deemed unsafe due to the high number of bicycle and pedestrian crashes with motor vehicles.

Crime

Crime hinders active living. If a person does not feel safe, they are less likely to walk or bicycle.^{****}

Females are especially affected by high crime levels. As seen in Figure 15 crimes are located throughout the city; however, there are areas of higher concentration.

The Uniform Crime Reporting Program defines two types of crimes, violent and property (FBI, 2009). Murder, homicide, assault, rape, and robbery are considered violent crimes. Murder and homicide accounted for only 0.4% of all crimes in Buffalo during the period of analysis. Assault, rape, and robbery accounted for an additional 20.1% making a total of 20.5% of crimes in Buffalo considered violent. The majority (79.5%) of crimes were property related (burglary, larceny, and motor vehicle theft).

Figure 16 and Figure 17 focus on violent crimes and murder/homicide respectively. Looking at all violent crimes suggests there are concentrations of high crime rates running from Downtown northwest toward Colonial Circle and along Bailey Ave and Genesee St. Focusing solely on murder suggests high concentrations of these crimes near Martin Luther King Park and the surrounding neighborhood.

Traffic Volumes: Average Annual Daily Traffic

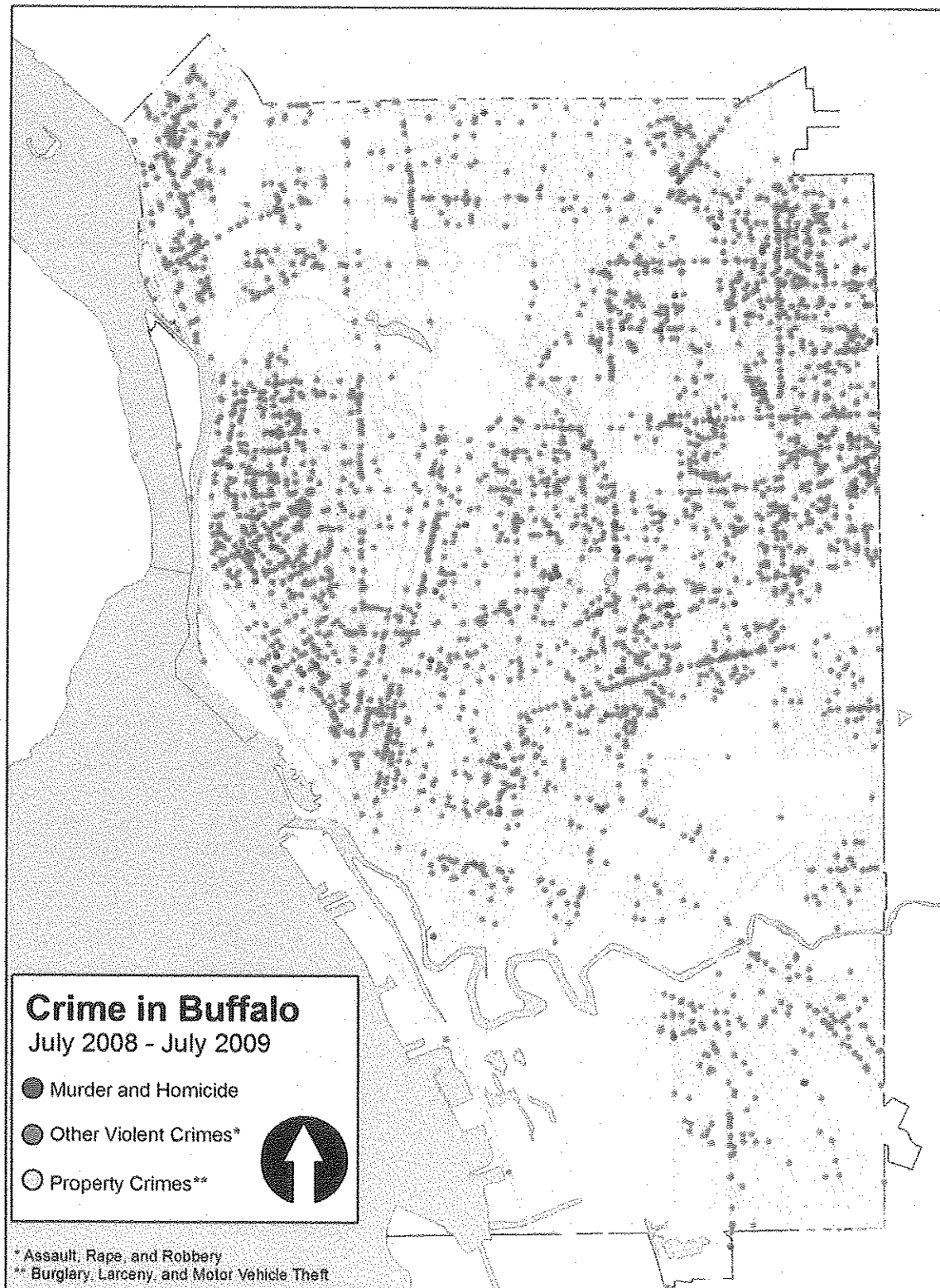
Average Annual Daily Traffic (AADT) is an important transportation performance indicator and a factor for implementing a Road Diet. The term Road Diet can be defined as a reduction of lanes along a roadway segment which will accommodate the same amount of vehicles while providing additional right of way width for the accommodation of pedestrian, bicycle and transit infrastructure. Road segments with an AADT less than or equal to 12-18,000 make excellent candidates for "Road Diets"; additionally, this application has been utilized on roads with up to 25,000 AADT (Lagerwey, 1999).

The AADT on many road segments in the City of Buffalo is less than 18,000 vehicles. The exceptions are the I-190, Route 33, Route 198, Route 5/ Skyway, the Peace Bridge, the Elm/Oak corridor, and portions of Delaware Ave., Elmwood Ave., Kenmore Ave., Bailey Ave., Fuhrmann Blvd., Broadway St., Clinton St., Niagara Falls Blvd., Eggert Rd., and Parkside Ave. which have a higher traffic volume as seen in Figure 18.

Due to the lower traffic volumes on many of the streets in the City of Buffalo, the City is presented with an opportunity to re-imagine the street network design using the techniques of road diets. The implementation of this infrastructure enhancement will allow for the efficient and safe travel of vehicles while at the same time increasing the access, connectivity and safety of the downtown streets for other transportation modes including bicycles and pedestrians.

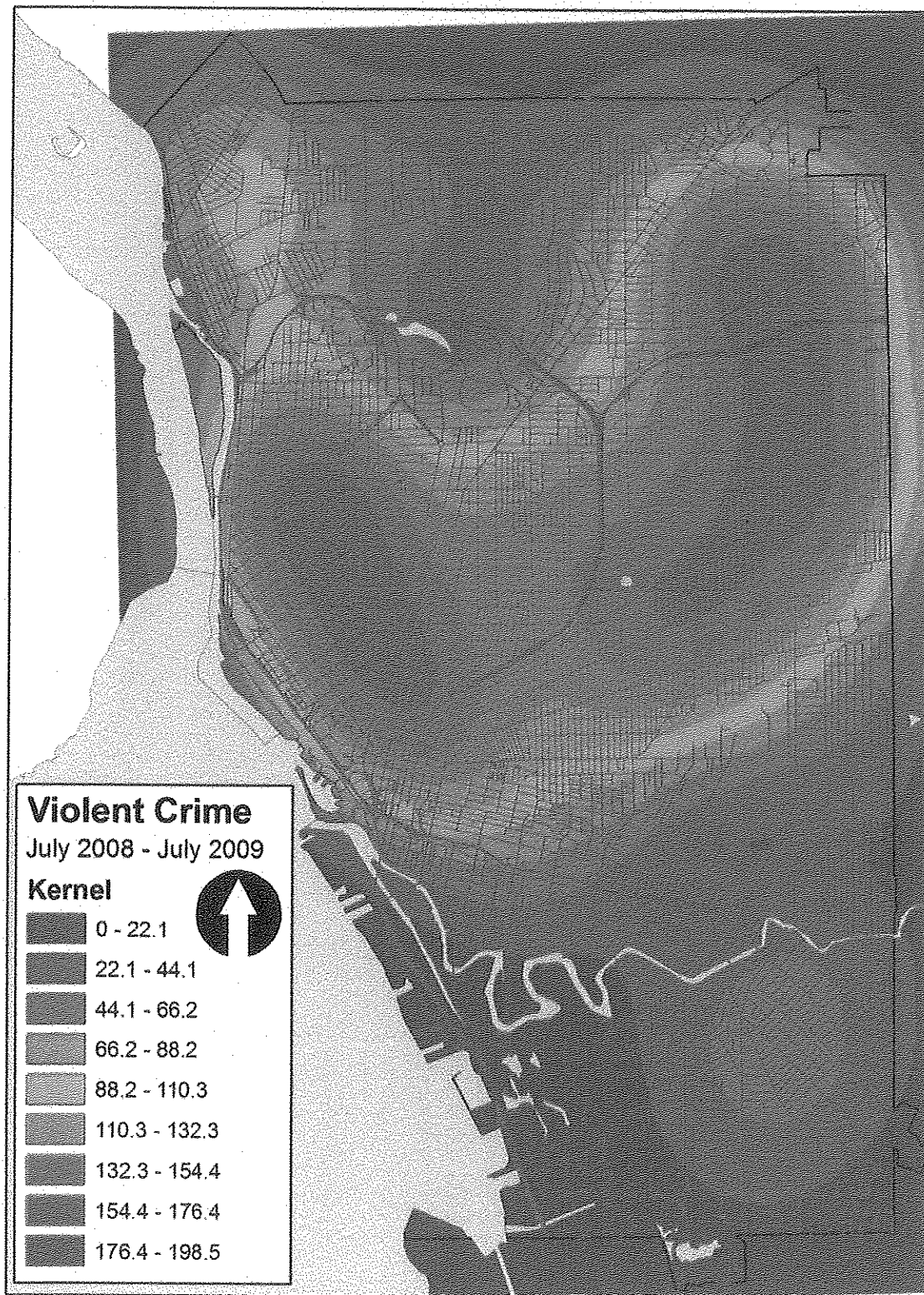
^{****} See Brian E. Saelens, 2003; Day, 2006; Eva Leslie, 2005; James F. Sallis, 2004; Kelly R. Evenson, 2005; McMillan, 2005, 2007; Richard R. Suminski, 2005; X. C. Susan Handy, Patricia L. Mokhtarian, 2006.

Figure 15: Violent and Property Crimes



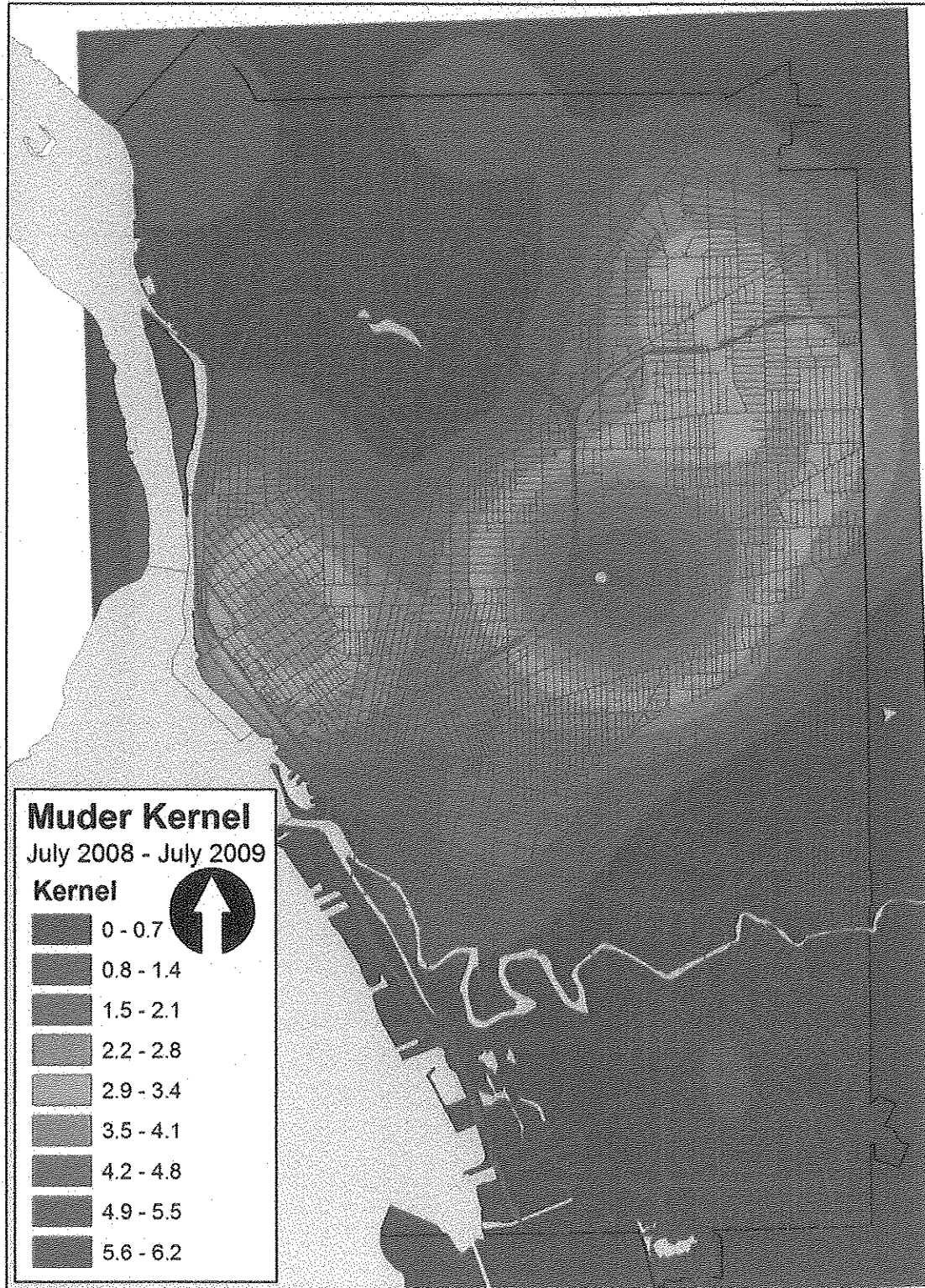
Data Source: Erie County Crime Analysis Center – Buffalo Police Department

Figure 16: Violent Crime Kernel Density



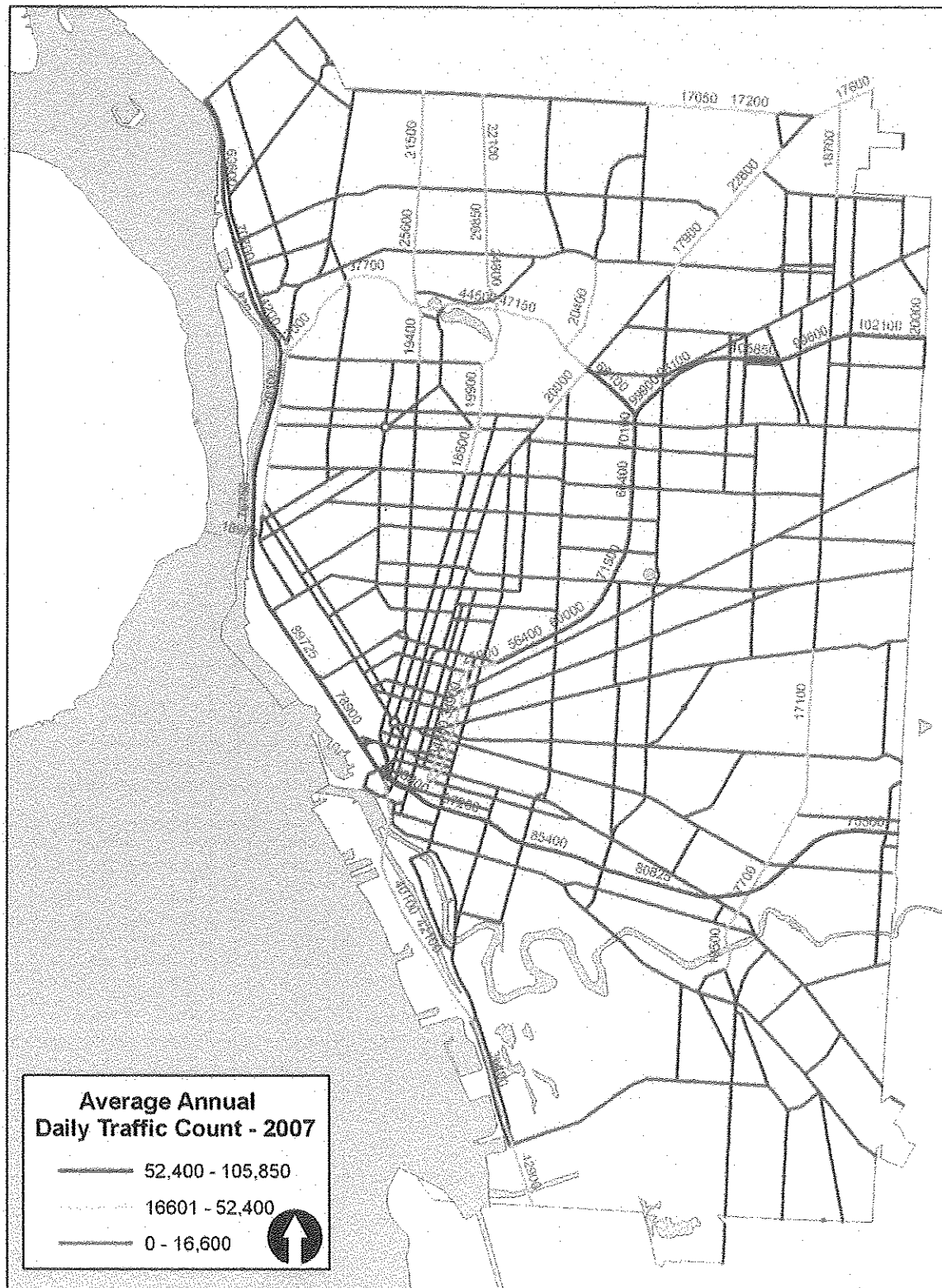
Data Source: Erie County Crime Analysis Center – Buffalo Police Department

Figure 17: Murder and Homicide Kernel Density



Data Source: Erie County Crime Analysis Center – Buffalo Police Department

Figure 18: Traffic Volumes: Average Annual Daily Traffic (AADT)



Data Source: Greater Buffalo Niagara Regional Transportation Council

Truck Routes

Truck traffic has a negative impact upon pedestrians, bicyclists, and the streetscape; however, it is a necessity of the city. These vehicles will often take the path of least resistance; however, most of the routes are along vital commercial corridors posing a threat to active living. Also, the majority of downtown (highly pedestrian area) and southwest Buffalo are identified for unrestricted truck access (see Figure 19). Consolidation of this unrestricted area to specific routes and limited time frames of use for all truck routes would serve to enhance the quality of life in Buffalo.

Bicycle and Pedestrian Crashes

Safety from motor vehicles while riding a bike on the street or walking across an intersection is vital for active living. Between September 1, 2008 and August 31, 2009 the City experienced 8,698 motor vehicle accidents. Of these 8,698 crashes, 5.8% (or 502 crashes) involved bicyclists or pedestrians. This equates to 191 bicycle/pedestrian crashes per 100,000 residents. Breaking it down further, 186 crashes involved bicyclists and 316 crashes involved pedestrians.

Most accidents involving bicyclists or pedestrians occurred in the summer months of June, July, and August (see Table 2). This was true for each mode individually and combined. The least accidents involving bicyclists or pedestrians occurred in the winter months of December, January, and February.

Table 2: Season Crashes Occurred

	Accidents	Fall	Winter	Spring	Summer
Bicycle	186	52	6	43	85
Pedestrian	316	67	81	73	95
Combined	502	119	87	116	180

Data Source: Buffalo Police Department

The most crashes involving bicyclists or pedestrians occurred on Fridays (see Table 3). Both Thursdays and Sundays had the least number of bicyclist or pedestrian crashes.

Table 3: Day of the Week Crashes Occurred

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Bicycle	23	29	27	35	33	21	18
Pedestrian	40	39	52	27	69	45	44
Combined	63	68	79	62	102	66	62

Data Source: Buffalo Police Department

Most crashes involving bicyclists and pedestrians occurred between 3:00 pm and 5:59 pm (see Table 4). The least number of crashes occurred between 3:00am and 5:59am.

Table 4: Time Crashes Occurred

	12:00 am -2:59 am	3:00 am - 5:59 am	6:00 am - 8:59 am	9:00 am - 11:59 am	12:00 pm - 2:59 am	3:00 pm - 5:59 pm	6:00 pm - 8:59 pm	9:00 pm - 11:59 pm
Bicycle	8	3	9	21	28	51	45	21
Pedestrian	17	17	31	33	37	73	67	41
Combined	25	20	40	54	65	124	112	62

Data Source: Buffalo Police Department

The average crash victim's age tended to be in the upper 20's, while the median^{****} was in the low 20's and the mode was in the upper teens. This suggests most bicycle/pedestrian crash victims were younger people; however, the average was pulled higher due to several elderly outliers. The average driver's age tended to be in the low 40's, while the median was in the upper 30's and the mode was in the mid 20's. The large difference between average/median and mode suggests most accidents involved younger drivers.

Table 5: Ages of Crash Victims and Drivers

	Victim's Age*			Driver's Age*		
	Average	Median	Mode	Average	Median	Mode
Bicycle	26.75	21	20	41.72	38.5	25
Pedestrian	29.25	25	17	40.41	38	20
Combined	28.35	23	18	40.92	38	25

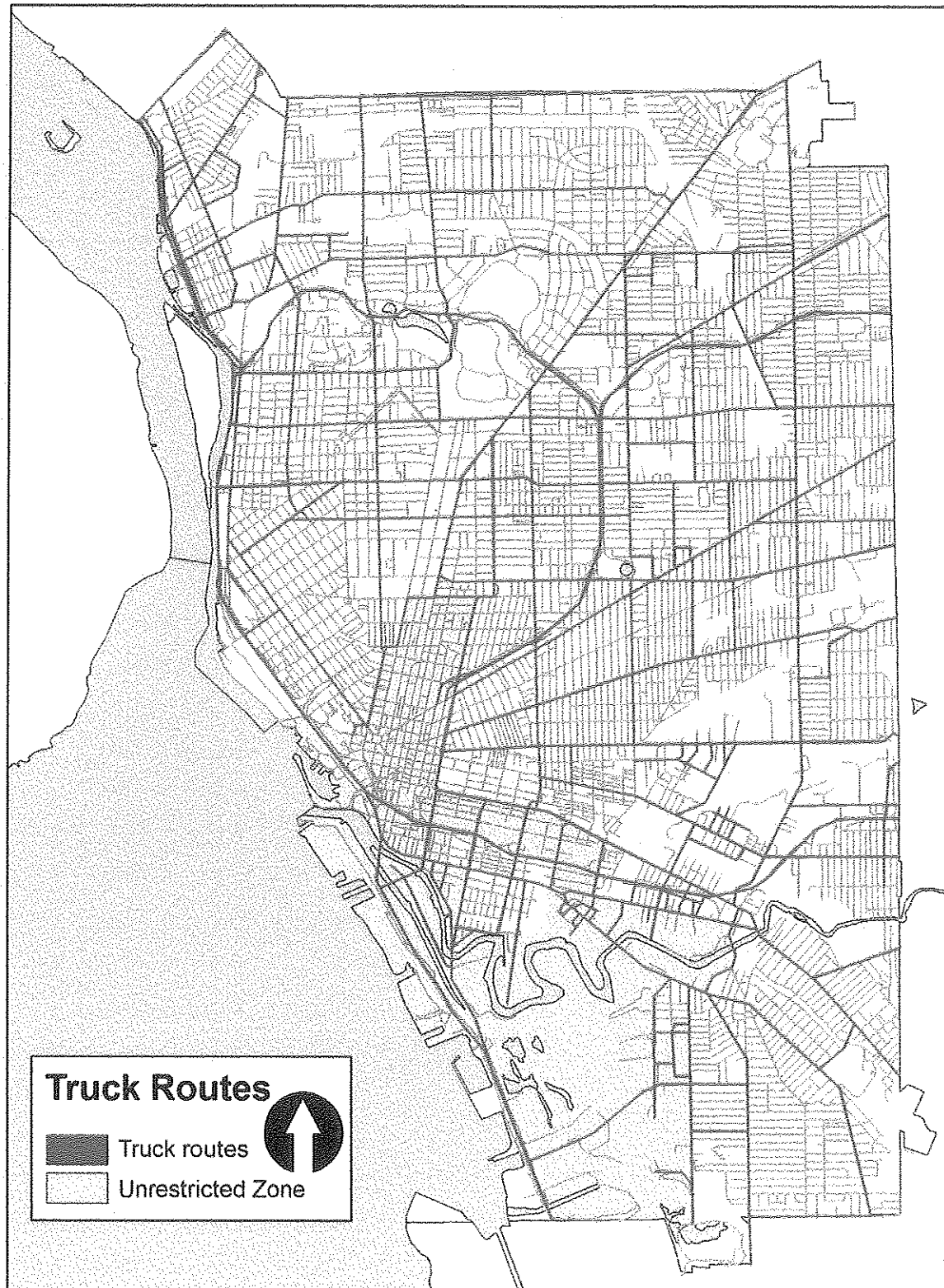
Data Source: Buffalo Police Department

Most crashes resulted in only minor injuries. Only one pedestrian crash resulted in death. Figure 20 shows the locations of both bicycle and pedestrian crashes combined. A kernel density was performed highlighting areas of greater incidence^{§§§§§}. High crash rates are centered on the west side from Downtown north to Lafayette Ave. Figure 21 emphasizes bicycle crashes are concentrated along the northern portion of the previously described area. Figure 22 stresses pedestrian crashes are concentrated to the southern portion of this previously described area. Interestingly, there is also a raised incidence of pedestrian crashes along portions of Bailey Ave which is not present in the other two maps.

**** A Median is the middle number in a sequential list of numbers, in this case ages of victims or drivers. A Mode is the number which occurs most often, in this case the most common age to get in / cause the accident.

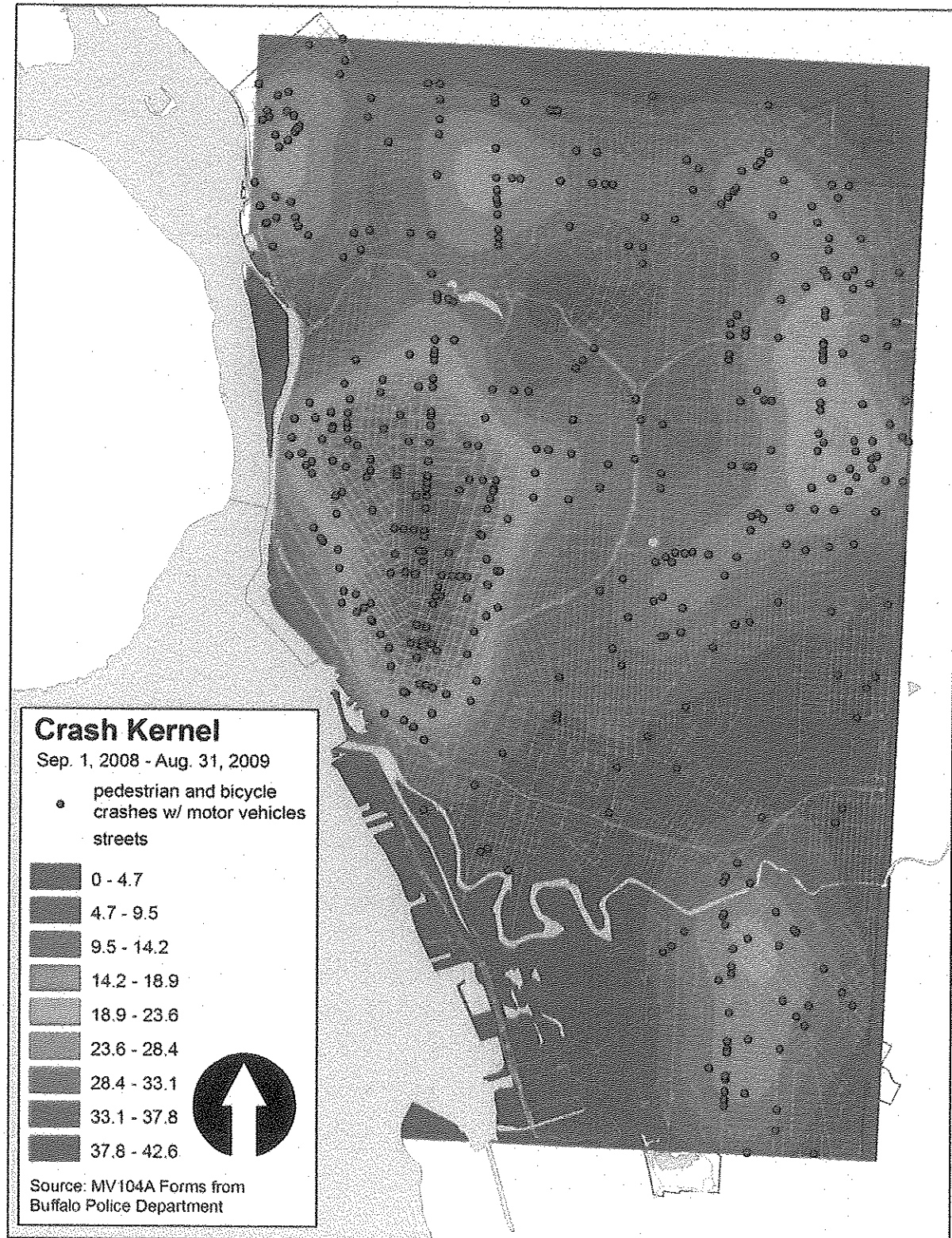
§§§§§ A Kernel Density Analysis shows concentrations of occurrences within a specific geographic area. It takes into account how geographically proximate the occurrences are, in this case, bike/ped crashes with motor vehicles.

Figure 19: Truck Routes and Unrestricted Zones



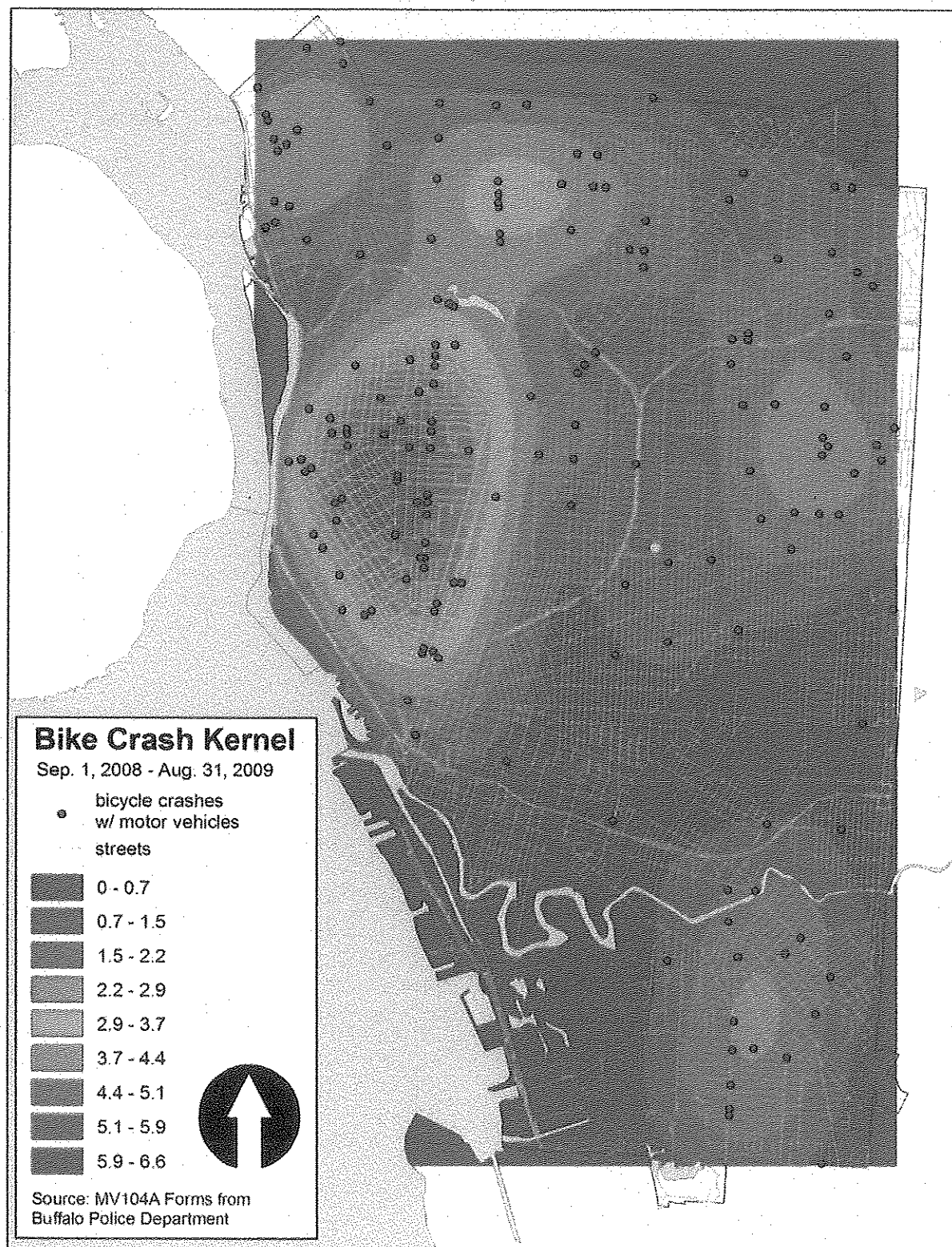
Data Source: City of Buffalo Public Works Department

Figure 20: Combined Crash Kernel Density



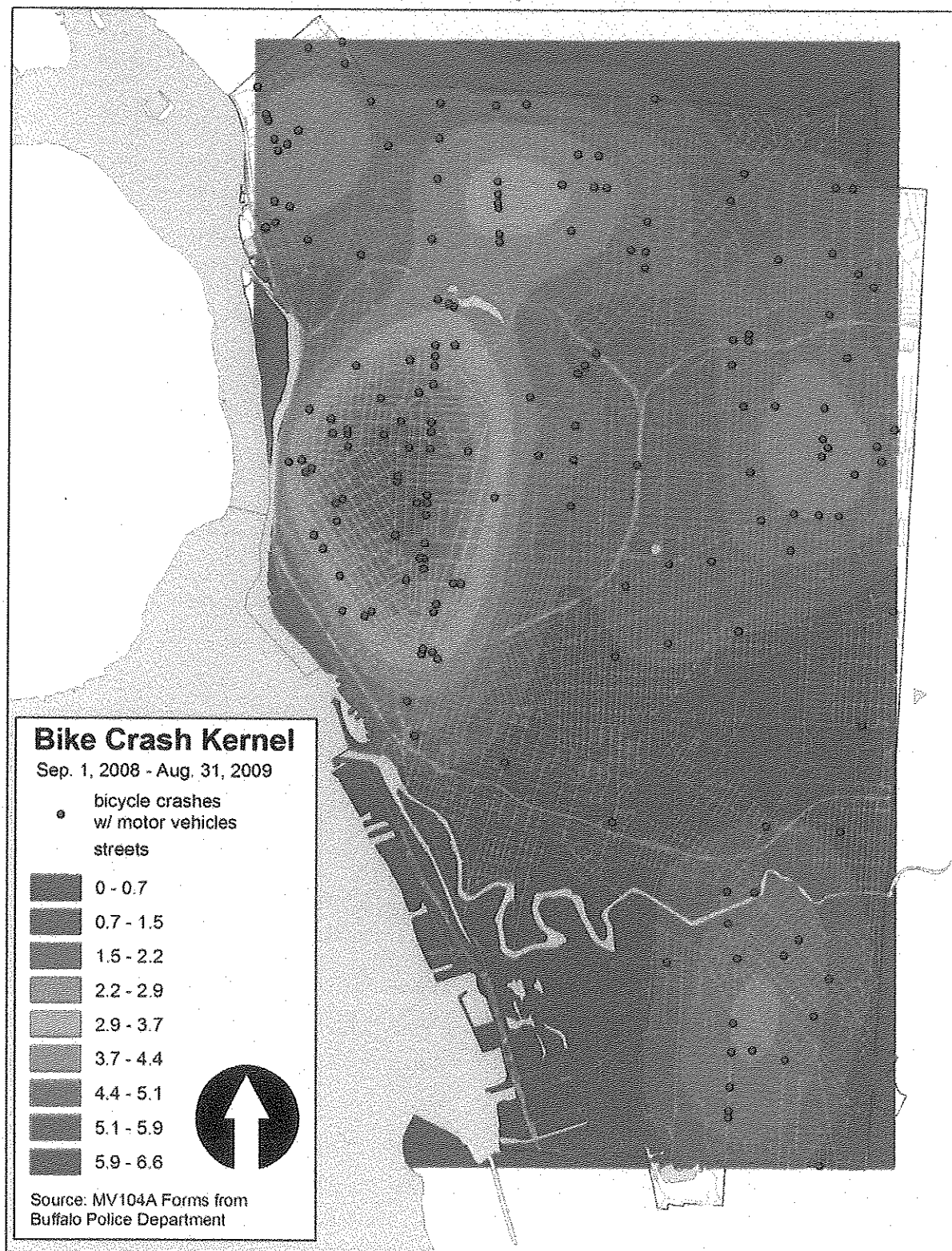
Data Source: Buffalo Police Department

Figure 21: Bicycle Crash Kernel Density



Data Source: Buffalo Police Department

Figure 22: Pedestrian Crash Kernel Density



Data Source: Buffalo Police Department

Existing Plans, Regulatory Codes, and Scheduled Projects

Government agencies (both local and regional) influence a person's ability to walk or bike through their comprehensive plans, scheduled projects, and adopted codes. There are many local and regional plans for the City of Buffalo and key subareas of the city which have language relating to active living. Several scheduled Transportation Improvement Projects address pedestrian and bicyclist infrastructure needs. The city has many regulatory codes and ordinances which influence active living.

Existing Plans

There are several existing plans throughout the region which already address bicycle and pedestrian transportation. Any future plans (such as the Healthy Communities Initiative) should be consistent with currently adopted plans.

2008 Bicycle and Pedestrian Master Plan

"The 2008 Bicycle and Pedestrian Master Plan is Buffalo-Niagara's vision to make bicycling and walking an integral part of daily life in the region. The plan recommends projects, programs and policies for the next ten years to encourage use of these practical, non-polluting and affordable modes of transportation. This plan is significantly different from past master plans and has drawn heavily upon several national award-winning programs, then tailored to meet the needs of Western New York." (GBNRTC, November 2008)

Buffalo's Comprehensive Plan

This award winning plan's vision is "to build a city that is a prosperous, green regional center providing livable communities for all its citizens ... The success of this plan will ultimately be measured by the health and vitality of the Buffalo's neighborhoods." (Buffalo, 2004) One important aspect of livable communities is the possibility to engage in an active lifestyle. This in turn will improve the health and vitality of these neighborhoods.

The Queen City Hub: A Strategic Regional Action Plan for Downtown

"The Queen City Hub envisions Downtown as a place where citizens of the city and the surrounding region live, work and play ... This vision for Downtown starts with the basics. It is a place that is clean, safe, pedestrian friendly, and beautiful. It is accessible, appealing, and "green." It is a place where important economic sectors are encouraged to grow and thrive in "strategic investment areas." Yet, it forms a coherent whole, knit together by its own emerging residential districts, and connected with adjacent neighborhoods and the waterfront by celebratory gateways, Ellicott's "great streets," and Olmsted's park and parkway system. The Downtown of this vision is a place of life, twenty-four hours a day, seven days a week, twelve months a year. In short, it is a place where residents and visitors alike live their lives well." (Buffalo, 2003)

The City of Buffalo's Draft Local Waterfront Revitalization Program

This program specifically states as a policy standard (Standard 9.1(D)(7)): "Improve public access from downtown Buffalo and the inner harbor area to the Outer Harbor for both pedestrian, bicycles and motorized vehicles." Another policy standard is to "Provide secure bicycle parking and safe bicycle lanes

in new development projects and connect these facilities with the public pathway network along the waterfront." (Standard 13.1(A) (5)) (Buffalo, 2007)

Buffalo Olmsted Parks Conservancy 20 Year Management and Restoration Plan DRAFT

A major principle of this plan (Principle 2.2.1(2)) is to "Promote safe, secure, diverse, and equitable use of the park system" by providing "for pedestrian and bike safety and accessibility." The plan continues by suggesting projects for each of the Olmsted Parks to "improve access and circulation within the parks for vehicles and pedestrians." (Conservancy, 2007)

Scheduled Transportation Improvement Projects (TIP)

One of the primary responsibilities of the Greater Buffalo-Niagara Regional Transportation Council is the development of a long-range transportation plan for the two county region. The approved 2030 Long-Range Transportation Plan (LRP) is a blueprint for developing multi-modal access within the regional transportation system and seeks to meet the transportation demands of existing and future development. It serves as a guide to the development of the Transportation Improvement Program (TIP), which consists of all federally funded roadway, transit, and major transportation projects scheduled within the region during the first five years of the LRP. Table 6 summarizes the projects scheduled to occur within the project area which will improve the infrastructure conditions for living actively (GBNRTC, June 2007).

Table 6: Transportation Improvement Projects

**PROGRAM & PROJECT MANAGEMENT BUREAU
Project Listing 5 Year Program**

PIN	DESCRIPTION
551243	PEDESTRIAN BRIDGE/RT 33 Completed Date: 12-30-2009
575580	INNER HARBOR TRANSPORTATION INFRASTRUCTURE FACILITY Target/Actual Let Date: 06-15-2012
575644	BUFFALO SIGNALS Target/Actual Let Date: 11-08-2007
575679	TIFFT STREET GREENWAY Completed Date: 03-01-2007
575680	AMHERTS STREET - SIGNALS Target/Actual Let Date: 12-31-2009

- 575681 ELMWOOD AVE/CHIPPEWA ST SIGNALS
Target/Actual Let Date: 06-15-2010
- 575682 BAILEY AVE SIGNALS
Target/Actual Let Date: 05-11-2009
- 575683 NORTH BUFFALO RAILS-TO-TRAILS
Target/Actual Let Date: 06-15-2015
- 575743 OUTER HARBOR TRAIL PHASE 2
Target/Actual Let Date: 06-15-2014
- 575759 BNMC PHASE 2 STREETScape
Target/Actual Let Date: 05-15-2010
- 575771 GREENBELT SHORELINE IMPROVEMENTS – TRAIL
Completed Date: 05-11-2009
- 575776 FILLMORE AVE; NORTH PARADE AVE – EAST FERRY ST
Target/Actual Let Date: 08-15-2010
- 575782 NORTH BUFFALO PAVING PROJECTS;
GRANT ST, AMHERST ST, HERTEL AVE
Target/Actual Let Date: 08-13-2009
- 575798 UNION SHIP CANAL OPEN SPACE
Target/Actual Let Date: 12-08-2009
- 575895 HAMLIN PARK SCHOOL #74 S.R.T.S.
Target/Actual Let Date: 03-15-2010
- 575914 SIDEWALK AND CURB REPLACEMENTS; CITY OF BUFFALO
Target/Actual Let Date: 12-03-2009
- 575940 FRUIT BELT REDEVELOPMENT; CARLTON & HIGH ST
Target/Actual Let Date: 06-15-2010
- 575942 OUTER HARBOR ENHANCEMENTS
Target/Actual Let Date: 03-04-2010

575943 UNION SHIP CANAL PROMENANDE ENHANCEMENTS
Target/Actual Let Date: 03-04-2010

575944 INDUSTRIAL HERITAGE TRAIL ENHANCEMENT
Target/Actual Let Date: 07-22-2010

575945 SENECA ST; HAYDEN ST – INDIAN CHURCH RD
Target/Actual Let Date: 08-01-2010

575968 TIFFT STREET WHARF
Target/Actual Let Date: 07-08-2010

581072 BIKE ROUTE 517 SIGNS & SIDEWALK INSTALLATION
Target/Actual Let Date: 09-03-2009

Selected Summarized Sections of City Charter and Code

There are currently in place many codes (Buffalo, 2008) which support the development of an environment that govern active living as seen below:

Chapter 413; Streets and Sidewalks

ARTICLE XIV, Complete Streets

[Adopted 6-11-2008]

Complete Streets are defined as facilities that are designed and operated to enable safe access for all users. Persons with disabilities, pedestrians, bicyclists, motorists and transit riders are able to safely move along and across a complete street.

The inclusion of bicycle and pedestrian facilities shall be mandated in all new street construction, street reconstruction and street maintenance projects undertaken by the City of Buffalo...

Chapter 6; Boards, Committees, Agencies and Commissions

ARTICLE XI, Bicycle and Pedestrian Advisory Board

[Adopted 11-29-2005 by L.L. No. 6-2006, effective 1-23-2006]

The Bicycle/Pedestrian Advisory Board is created to help City of Buffalo to resolve problems by experienced cyclists, pedestrians and persons with disabilities. The Board should be inspected City of Buffalo projects involving pedestrians, bicyclists and persons with disabilities. The Board should assure that pedestrians, bicyclists and persons with disabilities will be accommodated safely on the public roads. The Board should make suggestions and plans for traveling of bicyclist and pedestrians. The Board should also promote implementation of City of Buffalo. The Board should provide a plan for snow season especially for bicyclists, pedestrians and persons with disabilities. The report to Buffalo Common

Councils is supposed to be submitted quarterly concerning transportation projects affecting pedestrians, bicyclist and persons with disabilities.

Chapter 307, Parking and Parking lots

ARTICLE I, Bicycle Parking

[Added 5-31-2005, effective 6-10-2005]

Bicycle parking facilities shall be provided for any new building, addition, parking lot or enlargement of an existing building, or any change in the occupancy of any new building that results in the need for additional auto parking facilities.

For proposed nonresidential uses...having off-street parking requirements of 20 spaces or more, a number of off-street bicycle parking spaces shall be provided equal to 5% of the automobile parking space requirement. ...the required automobile parking spaces may be reduced at the ratio of one auto space for each six bicycle spaces provided, except that under no circumstances may the required number be reduced by more than 5%.

Chapter 413, Streets and Sidewalks

ARTICLE VIII, Snow and Ice Removal

[Amended 10-14-1997, effective 10-30-1997]

It shall be the duty of every owner or occupant of any premises abutting any public street to remove, before 9:00am, all snow and ice which may have fallen upon the sidewalk abutting said premises.

...in which a handicapped access cut has been installed to remove, before 9:00am, all snow and ice which may have fallen upon the handicapped access cut.

Chapter 307, Parking and Parking lots

Every operator shall keep the sidewalk area free from dirt, snow and keep sidewalks and driveways open to pedestrians in safe conditions. The owners are responsible for the part of sidewalk fronting the public way and keep it in safe conditions. The Commissioner of Public Works, Parks and Streets and the

Director of Parking Enforcement assure that designed parking area do not make any dangers such as safety or traffic for pedestrians and vehicles in the surroundings.

Chapter 413, Streets and Sidewalks

ARTICLE IX, Sidewalk cafes

[Amended 2-6-2001, effective 2-20-2001]

An owner or operator of a restaurant, as defined in Chapter 370..., abutting in whole or in part upon a public street, who desires to extend the services of such restaurant onto the sidewalk portion of the public street on which the restaurant abuts, may file an application therefore...

All approvals subject to the following specific conditions:

- (1) No installation shall exceed 12 feet in width

- (2) In no case shall the unobstructed portion of the public passageway, after the installation of the sidewalk café, be less than four feet in width, except that the Common Council may require an unobstructed passageway or more than four feet in areas of high pedestrian traffic.

Chapter 293, Noise

It is prohibit using sound reproductions devices in a vehicle which can be threatening to pedestrians and other vehicle operators or the devices that can deprive the public on the right of safe and comfortable traveling.

Chapter 387, Signs

Too many portable signs based on flashing pose danger to cyclists and passive motor drivers because of similarity to traffic lights. Many signs caused danger to pedestrians by their placement on City right-of-way.

Chapter 413, Streets and Sidewalks

The public streets in the city shall be used just for pedestrians and vehicles. None shall place the glass, metal, stones, tacks, and nails onto the street, sidewalk, roadway or any public place in the city in order to cause injury pedestrians, animal or to damage vehicles.

Recommendations*****

Strategy 1: Improve Access to Outdoor recreational facilities

Recommendation 1.1: Support the creation, rehabilitation and maintenance of greenways and trails, parks, playgrounds and recreation facilities so that all residential areas in the City of Buffalo have access to said facilities within a ½ mile distance of their homes.

Recommendation 1.2: Offer quality programming to encourage and support easy access to safe and affordable physical activity at parks, playgrounds and recreation facilities.

Strategy 2: Enhance Infrastructure supporting walking and bicycling

Recommendation 2.1: Create a Complete Streets coordinator position, to be shared with the Department of Public Works and Office of Strategic Planning, in the City of Buffalo to ensure infrastructure projects adhere to "Complete Streets" principles supporting active transportation.

Recommendation 2.2: Establish city policy to include the development and maintenance of a minimum of ten (10) miles of bicycle facilities annually.

Recommendation 2.3: Establish city policy to include the maintenance and repair of a minimum of ten (10) miles of pedestrian facilities annually.

***** CDC, 2009; National Physical Activity Plan, 2010; White House Task Force, 2010; DOT, 2009

Recommendation 2.4: Provide up to one hundred (100) new bicycle parking facilities annually through the commercial district bicycle parking program.

Recommendation 2.5: Develop "complete streets" design manual and specifications to ensure that in all roadway facility upgrades, including lane marking contracts, all appropriate bicycle and pedestrian facilities are included as a matter of course.

Strategy 3: Support the return of neighborhood schools

Recommendation 3.1: Increase the number of youth attending neighborhood schools by 50% so children can choose to walk or bicycle because it is safe, accessible and convenient.

Recommendation 3.2: Increase the number of students walking and cycling to school in the City of Buffalo by 10%.

Recommendation 3.2: Establish a joint-use agreement that allows the use of public schools and facilities for recreation by the public during non-school hours.

Strategy 4: Improve access to public transportation

Recommendation 4.1: Enhance pedestrian facilities within a ½ mile radius of all transit stations.

Recommendation 4.2: Enhance bicycle facilities within a 3 mile radius of all transit stations.

Recommendation 4.2: Increase the number of bus stops by 10% annually with shelters that are clean, safe, comfortable, accessible and convenient for all users.

Recommendation 4.3: The light rail system should be expanded to provide better access to residents with stops located within a ½ mile of all residential and commercial parcels.

Strategy 5: Zone for mixed-use development

Recommendation 5.1: City of Buffalo should update its zoning ordinance as a form-based code that includes compact and mixed-use development, affordable housing, thriving retail, transit oriented development, urban infill, walkable and bikeable street design and green building practices.

Strategy 6: Enhance personal safety in areas where people are or could be physically active

Recommendation 6.1: Reduce the number of vacant and abandoned buildings through a series of rehabs and demolitions within high crime neighborhoods.

Recommendation 6.2: City of Buffalo Police Department and other enforcement agencies should enhance foot and bicycle patrols in high crime areas.

Recommendation 6.3: Enforce city ordinance (Chapter 413, STREETS AND SIDEWALKS ARTICLE VIII, Snow and Ice Removal) which states that the owner or occupant of a building abutting the street must clear all snow and ice which has fallen on the sidewalk before 9:00am.

Strategy 7: Enhance traffic safety in areas where people are or could be physically active

Recommendation 7.1: Work with City of Buffalo Police Department and other enforcement agencies to ensure that officers understand pedestrian and bicycle issues as well as their rights and responsibilities.

Recommendation 7.2: Coordinate with the City of Buffalo Police Department and other enforcement agencies to enforce existing traffic laws as they relate to pedestrians, cyclists and motorists.

Strategy 8: Implement an effective social marketing campaign that increases the amount of daily physical activity among individuals

Recommendation 8.1: Apply audience specific techniques to develop targeted and custom messages as well as promotional activities and events that create positive associations with healthy behaviors and improved safety.

Conclusion

Residents in Buffalo are not meeting the minimum daily required level of physical activity. Some walk and bicycle frequently, but walking and bicycling is not widespread in the city's culture. Several physical barriers exist to walking/bicycling in the city of Buffalo. Bicycle lanes are limited, and the roadways are rated as 'caution is advised' for bicyclists. Despite the compact built form, land use is punctuated with extensive number of vacant parcels, making for an undesirable walking environment especially among the poorer neighborhoods in the city. Another major physical barrier is the large number of truck routes and immense area of unrestricted access in Downtown and South Buffalo. Residents also face major safety barriers such as high crash and crime rates.

Yet there is great potential to promote active living among residents. Thanks to its historic architectural and planning legacy, the city of Buffalo possesses core physical assets that could potentially support an active lifestyle. The city is home to an extensive park system, a dense built environment, and a diverse land use – all of which are key ingredients for a walkable community. The city also has an existing network of sidewalks. Public transportation via bus is widely available, affordable, and connects the entire Buffalo-Niagara Region. The city is relatively green with a large number of street trees but there is potential to double the tree canopy. The east side in particular has the potential to plant many more trees.

Existing ordinances – such as the complete streets ordinance – offer some policy support for active living. However, many of these ordinances are new, and therefore it is too early to tell whether these

are being implemented and or enforced. The City's comprehensive plan makes references to promotion of walking and bicycling – but the direct goal of promoting active living does not currently exist in the city's comprehensive plan. As such, the plan offers no comprehensive and clear guidelines on how to plan, design, and redevelop Buffalo to promote active living among Buffalonians.

There are several policy and planning opportunities available to promote active living. For example, many streets in Buffalo have low enough volumes that car lanes could be reduced in width or removed altogether to create room for wider sidewalks, medians, or bike lanes. Implementation of innovative policies and plans can foster a culture of walking and bicycling in the city of Buffalo.

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Appendix A

Methods of Analysis and Data Sources

Data was obtained from multiple sources. Demographic data was obtained from the Census Bureau's 2008 American Community Survey found on the American Factfinder website (Bureau, 2009). It was then compared to both county level (Erie) and state level (New York State) data retrieved from the same source. Percentages were computed to allow for easy comparison between geographic levels.

A written survey of Buffalo residents was conducted at the Elmwood Arts Festival as well as being available online at survey monkey from August 19 to December 29, 2009. The survey focused on individual's perceptions and behaviors pertaining to walking and bicycling.

Current (August 2009) land use and zoning data was obtained from the City of Buffalo's Office of Strategic Planning. Analysis was conducted on this data to determine net residential density and land use mix. Net residential density was computed by dividing the total number of housing units (obtained from the 2008 American Community Survey) with the total acres of land in residential use. The New York State Office of Real Property Services has created the "Property Type Classification and Ownership Codes" which was used to determine parcel land use (N. Y. S. O. o. R. P. Services, 2003). Residential land was defined as all parcels falling within the 200's property class code. Land use mix was computed by comparing residential, commercial, and office acreage using the formula found below. Again, residential land was defined as all parcels falling within the 200's property class code. Commercial land was defined as all parcels falling within the 400's property class code, excluding the 460's. Office land was defined as all parcels falling within the 460's property class code.

$$\text{Land use mix} = (-1) * \left[\left(\frac{\text{acreage of commercial}}{\text{total acreage of commercial, residential, and office}} \right) \ln \left(\frac{\text{acreage of commercial}}{\text{total acreage of commercial, residential, and office}} \right) + \left(\frac{\text{acreage of office}}{\text{total acreage of commercial, residential, and office}} \right) \ln \left(\frac{\text{acreage of office}}{\text{total acreage of commercial, residential, and office}} \right) + \left(\frac{\text{acreage of residential}}{\text{total acreage of commercial, residential, and office}} \right) \ln \left(\frac{\text{acreage of residential}}{\text{total acreage of commercial, residential, and office}} \right) \right] / \ln(3)$$

(T. L. S. Lawrence D. Frank, James F. Sallis, James Chapman, Brian E. Saelens, 2005)

Location and condition of sidewalks, curb ramps, and crosswalks along New York State routes was obtained from the NYS Department of Transportation. This data is a preliminary, conditional assessment of sidewalk and curb ramp conditions based on 2003-2005 aerial mapping and photolog interpretation. All data should be field verified. NYSDOT will amend data as new information becomes available. Data for pedestrian infrastructure along local streets is not available.

Pedestrian counts along major arterials were obtained from the Greater Buffalo Niagara Region Transportation Council (GBNRTC). The counts were originally collected throughout the summer of 2008

and 2009. Each location was monitored for around six hours during key interest times of the day (not necessarily the same times for each site).

Bicycle lane and multi-use path data were also collected from the GBNRTC. In 2008 the GBNRTC assigned bicycle "suitable" to "caution is advised" to "extreme caution / experienced riders only" for user-ability of the Bicycle Route Guide. Bicycle lanes are noted as being Signed Bicycle Routes and are not rated through bicycle level of service data (BLOS). BLOS is only used to rate on-road highway segments which are part of the identified On-Street Bicycle Network and where bicycle lanes are not provided. The BLOS Model evaluates bicycling suitability in shared roadway environments taking into account roadway width, traffic volume, pavement surface condition, motor vehicle speed and type, width of paving between outside lane and edge of pavement, presence of on-street parking, and stormwater grate frequency.

Current public transportation data was collected from the Niagara Frontier Transportation Authority. It includes both express and regular bus routes as well as bus stops.

Street tree data was obtained from the City of Buffalo's Urban Forester. This data was originally collected by a consultant group, Wendel Duchscherer. This data is up to date taking into account the vast amount of trees lost during the October Storm several years ago.

Crime data for the time period of July 2008 to July 2009 was collected from the Erie County Crime Analysis Center located at the Buffalo Police Department. This data included location and type of crime. A kernel density was performed on the data to highlight areas of high crime.

Traffic volumes for major roads were collected from the GBNRTC. The traffic volume data is part of an ongoing database; therefore some of the data goes as far back as 2000.

Truck routes and unrestricted truck access areas were obtained from the City of Buffalo Department of Public Works.

Bicycle and pedestrian crashes with motor vehicles between the dates of September 1, 2008 and August 31, 2009 were obtained through the Buffalo Police Department. All police accident report MV-104A forms were examined. Any crashes involving pedestrians or bicyclists were then entered by hand into a database. A kernel density was performed on the data to highlight areas of high accident incidence.

Scheduled Transportation Improvement Projects were collected from the NYS DOT. Select local laws were collected from the City of Buffalo's Code (Buffalo, 2008). Lastly, descriptions of existing plans were obtained from either the plan itself or official webpages.

Healthy Communities in Buffalo Survey

The Healthy Communities in Buffalo Survey was designed with a series of multiple choice and open ended questions to determine individual's perceptions and behaviors pertaining to walking and bicycling. 260 people responded to the survey, of which 198 reported a residence zip code within the City of Buffalo. Most other respondents live within the surrounding suburbs.

Appendix C

Public Comments

Recommendation 2.1 With whom would the Coordinator position be "shared"? Wouldn't it simply be a DPW position?

Recommendation 2.3 Ten miles doesn't seem like very much, and since the biggest problem with pedestrian facilities is curb ramps and crosswalks, would the City get credit if it did all the cross-walks along a 10-mile stretch of Main Street? Or a 5-mile stretch, if they could count each side as five miles?

As an aside, at that Pedestrian Safety by Design workshop a couple of weeks ago there were a couple of people from NYSDOT who are in the process of evaluating all of their pedestrian facilities for upgrade. I believe 2013 or 2016 is the date all facilities have to be compliant with ADA (or more properly PROWAG (Public Rights-of-Way Accessibility Guidelines) to avoid significant Federal subsidy losses.

Recommendation 2.4 That number honestly seems a little high as an annual figure if extended over several years. The saturation point would be hit pretty quickly I think.

NEW Recommendation 2.5 Ensure that in all roadway facility upgrades, including lane marking contracts, all appropriate bicycle and pedestrian facilities as included as a matter of course.

Recommendation 4.3 That doesn't seem very realistic for a light-rail system. Wouldn't a concentration on improving bus connectivity to the existing, or slightly expanded rail line be more manageable? Maybe the goal should be expressed in terms of a maximum travel time between home and light-rail (including bus headways)?

- W. Morgan Smith
Manager, Public Space
Buffalo Place Foundation

Assistant Secretary
Market Arcade Film & Arts Centre, Inc.

Member
City of Buffalo Bicycle Pedestrian Advisory Board

I am in totally support of the neighborhood school concept!

- Assunta R. Ventresca, M.S.N., R.N.
Director of Health Related Services
Buffalo Public School District
-

I would suggest that Recommendation 4.2 be changed to read; Increase the number of bus stops with shelters that are safe, comfortable, accessible and convenient for all users. It is not practical to require shelters at all stops for a variety of reasons including funding to purchase and maintain, site restrictions, objections from property owners, low usage(many of our stops have single-digit boardings per day), etc.

If it is possible to make changes to the report, you are probably aware that Metro changed it's fare structure on September 1 and eliminated zones and zone charges. If this can be reflected in the report, I would change the last sentence of the 2nd paragraph on page 22 to read; Fare range from \$0.75 to \$1.75 per ride depending on the passengers age or eligibility for reduced fare (see Table 1).

Table 1 would be changed to remove reference to zones as follows:

Boarding Fare Day Pass Monthly Pass

Adult \$1.75 \$4.00 \$64.00

Child, \$.75 \$2.00 \$32.00

Seniors, etc.

Delete note describing zone fare payments, etc.

- Robert Gower
Manager, Planning
Niagara Frontier Transportation Authority (NFTA)
-

In the recommendation item 1.2 is not connected back to the report –item 3.2 could be more specific in terms of the “how” rather than the outcome, item 4.3 could also be more specific i.e. expand light rail to the airport- Recommendations could also include; complete funded rails to trail project (north buffalo) and identify addition rails to trails opportunities especially (As a priority) those that would connect to waterfront.

- Philip Haberstro
Executive Director

The Wellness Institute of Greater Buffalo & WNY

Strategy 2: An item should be added to recommend an educational campaign to promote safety for pedestrians and cyclists. It is most important that this be targeted at automobile drivers, but cyclists need this too. I am not sure if this should be Recommendation 2.5 or if it should go into Strategy 7 as Rec. 7.3.

Strategy 3 needs to ensure that schools have bike parking. Racks at the schools are essential. As possibly a separate recommendation, the support of school personnel needs to be ensured too.

Strategy 4, Recommendation 4.2. Please add the word CLEAN. In my neighborhood and near my former workplace, there were bus shelters that were FILLED with garbage. Some shelters in Buffalo have nearby garbage totes or other garbage containers, but many do not.

- Lynn Magdol
Member
City of Buffalo Bicycle Pedestrian Advisory Board
-

Strategy 1: Insert: trails and walkways

Strategy 2: Insert: recommendation on holding Complete Streets Workshops sponsored by the national complete streets coalition for applicable department and individuals

Strategy 7: Include mobile disabled vehicles in addition to Bike and Ped.

7:1 Work also with Code and Parking Enforcement officers, NFTA, UB< Buffalo State police, (possibly Sheriff's Dept and State Police), and various college public safety officers. Anyone who plays a role in Ped/Bike safety enforcement.

Sources: What does the National Highway Traffic Safety Commission and Governor's Traffic Safety Council, Congress for the New Urbanism and NY Smart Growth Coalition have to offer?

- Rich Taczkowski
Member
City of Buffalo Bicycle Pedestrian Advisory Board

00046

Public Notice

BROWNFIELD CLEANUP
193 SHIP CANAL

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The New York State Department of Environmental Conservation (DEC) has received a Brownfield Cleanup Program (BCP) application from The Buffalo Urban Development Corporation for a site known as the 193 Ship Canal Parkway, site ID #C915240. This site is located in the City of Buffalo, within the County of Erie, and is located at 193 Ship Canal Parkway. Comments regarding this application must be submitted no later than November 19, 2010. Information regarding the site, the application, and how to submit comments can be found at <http://www.dec.ny.gov/chemical/60058.html> or by contacting:

Peter M. Cammarata
President
Buffalo Urban Development Corp. (BUDC)
275 Oak Street, Suite 150
Buffalo, NY 14203
(716) 856-6525 Ext. 130
pcammarata@ecidany.com

REFERRED TO THE COMMITTEE
ON COMMUNITY DEVELOPMENT.

2010 OCT 19 PM 1:35

FILED
CITY CLERK

43

162

The enclosed public notice announces the receipt of a complete Brownfield Cleanup Program application package by the New York State Department of Environmental Conservation. Pursuant to ECL Section 27-1407(5), a public notice announcing the receipt of an application must be sent to parties on the site contact list. Please read the enclosed public notice and review the application package in the site document repository for further information regarding the application and how to submit comments. The site document repository is located at:

Dudley Branch Library
2010 South Park Avenue
Buffalo, NY 14220

00047

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MEMORANDUM

To: Clerk Gerald Chwalinski
From: Council Member Michael LoCurto *mpl*
Date: October 28, 2010
Re: Letters of Recommendation

I would like to file the attached information as a receive and file item for the next Common Council meeting to be held on November 3, 2010.

Thank you.

RECEIVED AND FILED

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ERIE COUNTY LEGISLATURE

LYNN M. MARINELLI
LEGISLATOR - 11th DISTRICT



164
☐ 1701 Hertel Avenue
Buffalo, New York 14216
716/832-0493
FAX: 716/832-0494

October 13, 2010

The Hon. David Franczyk
Council President
Buffalo Common Council
Niagara Square
Buffalo, NY 14202

Dear Council President Franczyk:

I am writing on behalf of Brian Bray who worked for me during my tenure as chair at the Erie County Legislature for almost four years.

Brian, who was Senior Administrative Clerk, dutifully completed his assignments in a timely and professional manner. He assumed responsibility and accountability for tasks assigned to him at the Erie County Legislature from February 2004 to January 2008.

Brian's education, employment history and wide range of interests would be an asset to your organization.

If I may be of assistance and provide additional information, please do not hesitate to contact me. It is my understanding he has been employed at the Common Council. Please feel free to add this to his personnel file. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Marinelli".
Lynn Marinelli
Erie County Legislator, District 11



Erie County Water Authority

295 Main Street, Rm. 350 • Buffalo, NY 14203-2494
716-849-8484 • Fax 716-849-8463

October 14, 2010

To Whom It May Concern:

Brian Bray has adequately performed his duties as Public Affairs Officer of the Erie County Water Authority for the period June 22, 2009 through August 2, 2010. A description of some of the tasks and duties that were required to be performed by Mr. Bray are as follows:

- Worked with the press, ratepayers, public officials and institutions in explaining the goals, objectives and workings of a modern regional water authority;
- Advised the Commissioners and Authority management on public information strategies;
- Acted as spokesperson for the Erie County Water Authority when authorized;
- Provided information and educational services to the general public and the media;
- Wrote news releases and submitted them to the media;
- Answered correspondence and requests for information or articles;
- Wrote, edited and compiled material in the form of pamphlets, reports and periodic bulletins for distribution.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

A handwritten signature in dark ink, appearing to read "Matthew J. Baudo".

Matthew J. Baudo
Secretary to the Authority/
Personnel Director

MJB:tf





COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

MEMORANDUM

JLM
To: All Erie County Town and City Clerks
From: Joseph L. Maciejewski, Erie County Director of Real Property
Re: Board of Assessment Review (BAR) Reporting
Date: October 25, 2010

**PROCEDURE FOR NOTIFICATION OF NEWLY APPOINTED
OR REAPPOINTED B.A.R. MEMBERS**

This is to notify Town and City Clerks that the New York State Office of Real Property and your County Director of Real Property Services have agreed on a coordinated effort to track B.A.R. member status.

Now is the time to check municipal records to determine which B.A.R. appointments have expired and advise town board or city council members of this information, so that they can make prompt appointments and reappointments at their next meetings.

Section 523 of the Real Property Tax Law states that within 20 days of appointment of a B.A.R. member, the clerk must notify their County Director of Real Property Services.

The procedure is as follows:

The attached B.A.R. Member Listing along with any other correspondence pertaining to newly appointed or reappointed B.A.R. members should be forwarded **ONLY** to your County Director. I will then forward these changes to the Office of Real Property Services. The information provided is used to determine the BAR training schedule for the spring of 2011.

Delays in appointment or reappointment could affect B.A.R. hearings. Please make all appointments no later than February 15, 2010.

Please review, complete, and/or correct the enclosed report and mail to my office:

**JOSEPH L. MACIEJEWSKI, CCD
ERIE COUNTY REAL PROPERTY DIRECTOR
95 FRANKLIN STREET ROOM 100
BUFFALO, NEW YORK 14202**

If you have any questions, please call me at 858-8320.

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Attached is a memo from the Office of Real Property Services that contains frequently asked questions about the Board of Assessment Review.

Thank you in advance for your continued cooperation as we attempt to streamline and avoid duplication of information.

cc: Assessor
Town Supervisors
Mayors

RECEIVED AND FILED

STATE OF NEW YORK
Office of Real Property Tax Services - Educational Services
October 7, 2010

SWIS Code

140200

BOARD OF ASSESSMENT REVIEW MEMBER LISTING

Clerk's Name: _____ Daytime Phone () _____

City of Buffalo / Erie County

Please use the area on the right to update/correct or add any information pertinent to the current BAR members listed.

Current term ended: 09/30/2010		Reappointed? <input type="checkbox"/> YES <input type="checkbox"/> NO		Term: 10/01/2010 - 09/30/15	
Initial Date:	01/07/1997	Mr. William Maggio	Name:		
Term Begins:	10/01/2005	230 Wellington Road	Address:		
Term Ends:	09/30/2010				
Last Training:	01/06/2010	Buffalo, NY 14216	Town/Zip:		
		Day Phone: (716) 838-2683	Day Phone:		Appointment Date:
Initial Date:	01/01/2006	Mr. Richard Abrahamson	Name:		
Term Begins:	10/01/2006	117 Norwood Avenue	Address:		
Term Ends:	09/30/2011				
Last Training:	01/06/2010	Buffalo, NY 14222	Town/Zip:		
		Day Phone: (716) 983-8896	Day Phone:		Appointment Date:
Initial Date:	12/29/1998	Ms. Coralia J. Hetzner	Name:		
Term Begins:	10/01/2007	67 Lancaster Ave.	Address:		
Term Ends:	09/30/2012				
Last Training:	01/06/2010	Buffalo, NY 14222	Town/Zip:		
		Day Phone: (716) 883-0455	Day Phone:		Appointment Date:
Initial Date:	11/30/1983	Mr. Edward Herndon	Name:		
Term Begins:	10/01/2008	33 Burbank Terrace	Address:		
Term Ends:	09/30/2013				
Last Training:	01/06/2010	Buffalo, NY 14214	Town/Zip:		
		Day Phone: (716) 886-2136	Day Phone:		Appointment Date:
Initial Date:	10/01/1997	Mr. Keith Barnes	Name:		
Term Begins:	10/01/2009	29 Frankfurt Street	Address:		
Term Ends:	09/30/2014				
Last Training:	01/06/2010	Buffalo, NY 14211	Town/Zip:		
		Day Phone: (716) 894-2544	Day Phone:		Appointment Date:

STATE OF NEW YORK
Office of Real Property Tax Services - Educational Services
October 7, 2010

SWIS Code

140200

BOARD OF ASSESSMENT REVIEW MEMBER LISTING

Clerk's Name: _____ Daytime Phone () _____

City of Buffalo / Erie County

Please use the area on the right to update/correct or add any information pertinent to the current BAR members listed.

Temporary Member		Reappointed?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Term: 10/01/2010 - 09/30/11
Initial Date: 10/01/2007	Mr. Waren Glover	Name:		
Term Begins: 10/01/2009	17 Newport avenue	Address:		
Term Ends: 09/30/2010				
Last Training: 01/06/2010	Buffalo, NY 14216	Town/Zip:		
	Day Phone: (716) 836-2903	Day Phone:		Appointment Date:

Temporary Member		Reappointed?	<input type="checkbox"/> YES <input type="checkbox"/> NO	Term: 10/01/2010 - 09/30/11
Initial Date: 10/01/2007	Mr. Arthur Robinson	Name:		
Term Begins: 10/01/2009	192 Maurice Street	Address:		
Term Ends: 09/30/2010				
Last Training: 01/06/2010	Buffalo, NY 14210	Town/Zip:		
	Day Phone: (716) 822-4778	Day Phone:		Appointment Date:



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES

Jamie Woodward
Acting Commissioner of
Taxation and Finance

EDUCATIONAL SERVICES

W.A. HARRIMAN CAMPUS
ALBANY, NY 12227
Tel. (518) 474-1764 Fax (518) 486-3799
www.orps.state.ny.us

Victor Mallison
Acting Deputy Commissioner of
Real Property Tax Services

TO: City Clerks and Town Clerks
FROM: Educational Services
SUBJECT: Reporting Board of Assessment Review (BAR) information
DATE: October 2010

It's time to review Board of Assessment Review member appointments and reappointments. If you have not already done so, please check your municipal records to determine which BAR appointments in your municipality have expired and if any vacancies exist. If necessary, please arrange for the BAR appointment item or items to be added to the next board meeting agenda.

1. After the appointment or reappointment is made, forward the information to your County Director of Real Property Tax Services. Please use the form provided and fill in new information or changes to existing information. The information provided will be used to determine the BAR training schedule for the spring of 2011.
2. If you have questions, please contact your County Director. Listed below are answers to some frequently asked questions.

FREQUENTLY ASKED QUESTIONS about BOARD OF ASSESSMENT REVIEW

1. Question: What is the purpose of the Board of Assessment Review?
Answer: The BAR's sole purpose is to guarantee taxpayer's rights by hearing real property assessment complaints (grievances) and arriving at fair and impartial determinations regarding those complaints.
2. Question: Who must attend training?
Answer: Initial appointees and re-appointees to the BAR must attend a BAR training session in order to participate in the hearing and determinations of assessment complaints on grievance day.
3. Question: How are Board of Assessment Review Appointments determined?
Answer: Section 523 of the Real Property Tax Law prescribes BAR appointments. The Town Board or the City Council appoints Members for a five-year term of office. Terms of office must begin on October 1 and end on September 30, five years later. Terms should be staggered so that only one term expires each year. Persons appointed on a date other than October 1, to fill an unexpired term, serve until September 30 of the year that term ends. The BAR must consist of



FACT SHEET

(Environmental Cleanup Plan for the Former Buffalo China Site) Available for Public Comment

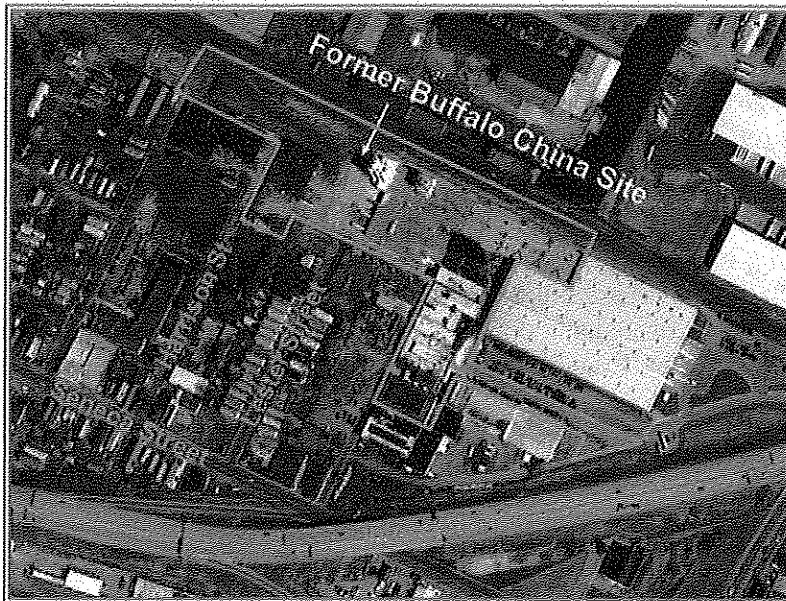
Brownfield Cleanup Program

October 2010

Project No. C915209

Introduction

The New York State Department of Environmental Conservation (NYSDEC) welcomes public comment as it reviews a draft cleanup plan, called the Remedial Action Work Plan, for the Former Buffalo China Site in Buffalo, Erie County. Current and historical use of the Site has been for the manufacture of China tableware. A small portion of the Site purchased in the 1980s, including the Harrison Street Warehouse, was historically owned by a mirror manufacturing operation located north of the Site. Historical Site operations have resulted in contaminated soils and groundwater with volatile organic compounds (VOCs) and metals.



The Remedial Action Work Plan is available at the locations identified in this fact sheet and on the DEC website, <http://www.dec.ny.gov/chemical/52695.html>. **Comments on the plan will be accepted for 45 days, from October 25 – December 14, 2010**, and may be submitted to the NYSDEC project manager listed on the opposite page.

Work at the site will be performed under New York State's Brownfield Cleanup Program (BCP). The BCP provides existing or potential property owners financial incentives to promote the voluntary cleanup, redevelopment, and revival of brownfield sites. Brownfields typically are former industrial sites that have been environmentally compromised, making redevelopment of the site more difficult. Buffalo China, Inc. entered the BCP in May 2007. The property was sold to Niagara Ceramics Corporation, which continues to manufacture china at the Site.

Are People Exposed to Contamination at the Site?

VOC and metals-impacted subsurface soil/fill is present at the site. Currently, access is restricted to the Site because it is an active industrial property and is fenced. However, VOC impacted groundwater has migrated off-site and VOC vapors are affecting one adjacent property, based on sub-slab monitoring. The proposed cleanup plan will address areas of known contamination.

What Does the Draft Remedial Action Work Plan Involve?

Elements of the Remedial Action Work Plan include:

- Excavating contaminated soils and disposing them at an authorized disposal facility;
- Installing a vapor mitigation system to minimize exposure to vapor contamination at an adjacent property;
- Injecting chemical oxidants into the ground to clean up groundwater;

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- Placing an environmental easement on the property to restrict future use of the site to industrial purposes; and
- Completing routine site inspections and maintenance.

Next Steps

NYSDEC will consider public comments before it approves and finalizes the Remedial Action Work Plan. The approved plan will be available for public review at the locations listed below and on the NYSDEC website. After it is approved, Buffalo China will proceed with the environmental cleanup work at the site. The environmental cleanup work is expected to begin in the spring of 2011. The excavation will be completed in the spring, and groundwater injections will occur periodically over an 18-month period, followed by monitoring. NYSDEC will keep the public informed about significant project milestones at the Former Buffalo China Site through fact sheets similar to this one.

Site Background

The Former Buffalo China Site has historically been the location of china manufacturing. A small portion of the Site purchased in the 1980s was used as a warehouse by the Standard Mirror Company. The Site, which is currently owned and operated by Niagara Ceramics Corp., comprises approximately 8 acres and is bordered on the north by Conrail railroad tracks, on the east by the adjoining former Buffalo China Warehouse and other commercial/industrial facilities, and on the south and west by residential properties. The nearest body of water is the Buffalo River, located approximately ¼ mile south and east of the Site. Environmental investigations have identified that the Site's soil and groundwater have been impacted by VOCs and lead, and the VOC contamination in the groundwater has migrated off Site. The DEC has determined that this contamination poses a significant threat to public health and the environment.

Who Should I Call If I Have Questions About the Site?

Environmental Questions

Ms. Linda Ross
Project Manager
NYSDEC
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220
region9@gw.dec.state.ny.us

Project Questions

Christine Barton
Project Coordinator
Conestoga-Rovers & Associates
285 Delaware Ave., Suite 500
Buffalo, New York 14202
(716) 856-2142
cbarton@craworld.com

Health Questions

Mr. Matthew Forcucci
Public Health Specialist
NYSDOH
584 Delaware Avenue
Buffalo, NY 14202
(716) 847-4501
mjfl3@health.state.ny.us

Locations to View Project Documents

To keep you informed, NYSDEC has set up two locations at which you may view project documents. These locations include:

Buffalo and Erie County Library
East Clinton Branch
1929 East Clinton Street
Buffalo, New York 14220
Phone: (716) 823-5626

NYSDEC Region 9 Office
270 Michigan Avenue
Buffalo, New York 14203
Phone: (716) 851-7220
(Please call for appointment)

You can also view project documents online at <http://www.dec.ny.gov/chemical/52695.html>.

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Common Council

Legislative Staff

City of Buffalo, NY

Chief of Staff
James S. Pajak
Senior Legislative Assistant IV
Kevin M. Linder
Senior Legislative Assistants
Mark J. Jaskula
William B. Licata
Julia A. Paul
Melissa Sanchez-Fernandez
Richard Wall
Legislative Aide
James N. Jackson

October 22, 2010

Gerald Chwalinski, City Clerk
1302 City Hall
Buffalo, NY 14202

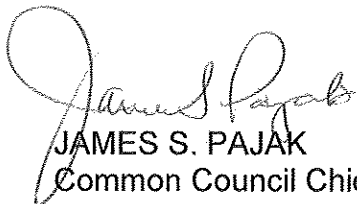
~~RE~~: CPC's Recommended 2011 Capital Improvement Budget and Bond Sale

Dear Mr. Chwalinski:

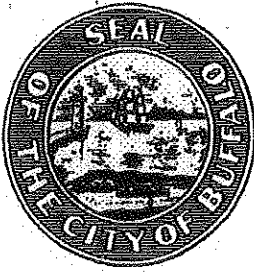
Please file the attachment for the Common Council meeting of November 3, 2010.

Thank you for your assistance in this matter.

Sincerely,


JAMES S. PAJAK
Common Council Chief of Staff

REFERRED TO THE SPECIAL
COMMITTEE ON BUDGET



Citizens Planning Council

173

Membership:

October 7, 2010

Adam Perry, Esq.
Chair

The Honorable Byron W. Brown
Buffalo City Hall
Room 201
Buffalo, NY 14202

Justin Azzarella

Dominic Bonifacio

RE: 2011 Capital Budget Recommendation and 2011 Bond Sale
Recommendation

Sean Carrington

Dear Mayor Brown:

Teresa Glanowski

Marsha Jackson

Gerald Kelly

Maureen Krause

Russell Maxwell

The Citizens Planning Council (CPC) in accordance with Section 20-23 of the Charter of the City of Buffalo (Charter) hereby submits to you our recommended capital budget for the 2011 calendar year. Attached to this letter are the spreadsheets outlining the 2011 recommended capital budget and the related 2011 recommended bond sale. Additionally, based upon the information provided by City staff, the CPC has prepared a recommendation with respect to the four-year capital improvement program as required by the Charter.

Kawanza McCall

Orlando Perez

Samuel Radford

Arthur Robinson, Jr.

The Office of Strategic Planning (OSP) has been successful in complying with Charter benchmarks, while diligently pursuing verifiable data to support the budget requests. The OSP notified all relevant parties of the capital budget process and all were invited to participate, submit comments, and appear before the CPC. We thank all who appeared before the CPC to enable it to determine a workable 2011 capital budget.

Tillman Ward

The projects recommended by the CPC for the 2011 bond sale and 2011 capital budget were based upon a variety of factors explained in detail below.

The more than \$78 million in requests, considering the sales cap of \$22.4 million for the City and \$4.9 million for the Board of

Education (BOE), presented a challenging budgeting task. In order to address so many requests with such limited funding, the CPC used its previously established priorities for funding. The classifications considered for ordering projects included those having an impact upon health and safety, annual commitments, the availability of state and federal and other matching funds, and priority projects.

The BOE submitted a request for funding totaling \$4.9 million, falling under the availability of state and federal matching funds category. Most of the funding that has been requested is for reconstruction and improvements at various school buildings that are included in the current Joint Schools Construction Board (JSCB) program. These projects will receive a New York State 94.3% match.

The Buffalo Fire Department (BFD) and Buffalo Police Department (BPD) made presentations to the CPC. CPC and OSP staff members have worked closely with both departments to determine their most pressing needs and priorities. Additional funding for BFD's request for the purchase of fire vehicles/apparatus and upgrades to its facilities, and the BPD's request for building improvements to its headquarters and police district buildings are recommended, due to their impact on health and safety. The BPD's City Court Lock-up request is recommended because as of October 2011, Erie County will no longer provide prisoner processing services (fingerprinting, mug-shots, holding, et cetera) for the City of Buffalo, making it the City's responsibility.

The CPC discussed the issue of demolitions in the City of Buffalo at length and has decided to recommend funding in the amount of \$2,686,022. The request falls under the health and safety category and is considered to be an annual requirement.

A number of cultural organizations appeared before the CPC with many worthy requests for building renovations. There was much discussion about priorities and outside funding opportunities. The CPC decided that all of the requests were worthy of attention, but due to budget constraints, most of them could not be recommended for funding. The CPC recommends that requests from the Buffalo Arts Commission, Buffalo and Erie County Historical Society, Buffalo Museum of Science, Kleinhans Music Hall, Shea's Performing Arts Center and the Buffalo Zoological Society are funded for reasons of health and safety, prevention of costlier damage, code compliance and liability avoidance. Olmsted Parks improvements will be funded through the Citywide Parks Improvements allocation. The projects recommended for funding as noted above were arrived at through a consensus of the CPC, with little to no dissent and an ultimate agreement of all members present. This is also true of the BPD and BFD projects described above and the DPW allocations described below. There was one exception to the consensus process as will be noted below.

The Department of Public Works (DPW) had by far the largest requests in volume and cost. As previously noted, the importance of health and safety, and the availability of matching funds, were two top criteria for funding recommendations for the 2011 Capital Budget. CPC, OSP, and DPW have worked together to identify the greatest needs and priorities of the DPW. DPW projects are accompanied by a funding match from state and federal funds and are therefore recommended for funding. These projects are primarily in the area of streets reconstruction.

DPW's annual commitments included citywide infrastructure improvements, City owned building repair, citywide parks, bridge repairs, and streets vehicles. The CPC recognizes the importance of these annual commitments and recommends that they be funded in the 2011 Capital Budget.

Once all of the Health and Safety, Annual Commitments, and Matching Funds projects have been accounted for, there is little flexibility of funding for Priority Projects. Although many of the requests have merit, only certain items have been recommended for funding. The CPC recommends that these projects be funded in the amounts outlined in the attached budget.

The CPC approved the Capital Budget as presented, but agreed by a divided narrow majority of the bare quorum present for the final session to fund the Nevilly Court project, recommending an allocation of \$250,000 to fund the budget request DCCM11800 South District - Nevilly Court Construction - Phase 2 (this was the only item in the entire CPC process that did not have a consensus of the CPC to recommend its funding as the final vote was 5 in favor to 3 against, with 7 members being a quorum). This item was recommended to be funded by reductions from among the following DPW, Division of Parks budget items: PRKS11001 Citywide Parks Improvements, PRKS11002 Broderick Park Phase I, II, PRKS11003, Citywide Tree Removal & Planting, and PRKS11004, Park Vehicles and Equipment. These reductions will be determined by City staff. The CPC was unable to agree to or recommend where specific reductions were to be made due to the division among the members on whether and how this particular project should be funded.

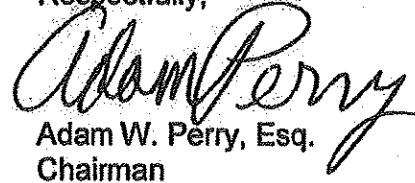
The CPC realizes that the needs are far greater than the available budget can fund. While we respect the Comptroller's disciplined approach for managing capital debt, the limited amount made available to the City to maintain its infrastructure, buildings, parks, and other amenities is woefully insufficient. The CPC is deeply concerned over the number of projects needing to be done, how this lack of funding will impact the quality of life and safety of our citizens, and decreasing capital debt projections. The CPC recommends that the Comptroller increase the City's capital spending level beginning in 2012.

The Honorable Byron W. Brown
October 7, 2010
Page 4 of 4

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The CPC is a dedicated group of volunteers selected by the Mayor, Common Council, and the BOE delivering perspectives from many areas of expertise. This group has worked together with the goal of moving the City forward with an efficacious strategic vision and plan for capital expenditures. The members of the CPC look forward to continuing to work with you for the benefit of our City.

Respectfully,


Adam W. Perry, Esq.
Chairman

cc: Hon. Members of the Common Council
President of the Buffalo School Board
Superintendent of the Buffalo Public Schools
Buffalo Fiscal Stability Authority
Comptroller of the City of Buffalo
Commissioner of Administration, Finance, Policy & Urban Affairs

Attachments: 2010 Recommended Capital Budget
Five-Year Capital Budget Projection

**2011 CITY OF BUFFALO CAPITAL IMPROVEMENT CITIZENS PLANNING COUNCIL
2011-2015 CAPITAL IMPROVEMENTS PROGRAM RECOMMENDATIONS**

	2011	2012	2013	2014	2015
BUFFALO PUBLIC SCHOOLS	RECOMMENDED				
bps11001 Reconstruction of Various Schools (Plant Services)	4,900,000	5,200,000	5,600,000	5,700,000	6,100,000
BUFFALO FIRE DEPARTMENT					
BFD07001 Purchase Fire Apparatus	1,465,900	2,152,252	2,152,252	2,152,252	2,152,252
BLDG11013 Fire Department Various Reconstruction/Upgrades (Buildings & Facilities)	240,750	240,750	240,750	240,750	240,750
BUFFALO POLICE DEPARTMENT					
BPD11001 City Court Prisoner Lock-up (Buildings & Facilities)	1,605,000				
BPD11006 Renovation Police Districts (Buildings & Facilities)	467,858				
BPD11007 Police Headquarter Renovation (Buildings & Facilities)	202,444				
COMMON COUNCIL - Included in city wide infra. lines (eg. ENGR06001 ...)					
CULTURAL ORGANIZATIONS					
ARTS11001 Restoration and Conservation of Public Art (Buildings & Facilities)	223,000	217,000	215,000	214,000	194,000
BECHS11002 Replacement of Windows in Pan Am Building Annexes (Buildings & Facilities)	53,500				
BMOS11001 Heat Pump Replacement (Buildings & Facilities)	80,250	80,250			
BMOS11002 HVAC - Lieberts (Buildings & Facilities)	74,900	74,900	74,900	74,900	85,600
KMH11011 Kleinhans Revitalization Plan (Buildings & Facilities)	240,750				
SHEAS11001 STAGEHOUSE BRICK (Buildings & Facilities)	107,000				
SHEAS11004 FIRE ESCAPE (Buildings & Facilities)	18,190				
SHEAS11005 BOILER REPLACEMENT (Buildings & Facilities)	187,250				
SHEAS11006 Shea's Emergency Generator (Buildings & Facilities)	100,580				
ZOO11002 Zoo Main Animal Building Roof Repair (Engineering)	150,000				
DPW - BUILDINGS					
BLDG11001 City Hall Bathroom Renovation (Buildings & Facilities)	160,500				
BLDG11002 City Hall Electrical Upgrades (Buildings & Facilities)	64,200				
BLDG11007 City Hall Front Entrance Reconstruction (Buildings & Facilities)	208,650				
BLDG11009 City Court Emergency Generator (Buildings & Facilities)	342,400				
BLDG11010 Broadway Market Improvements (Buildings & Facilities)	240,750				
BLDG11023 Community Center HVAC & Mechanical Upgrades (Buildings & Facilities)	197,950				
BLDG11024 Community Center Electrical Upgrades (Buildings & Facilities)	133,750				
BLDG11025 Community Center Roof Replacements (Buildings & Facilities)	230,050				
BLDG11027 Broadway Depot Roof Replacement (Buildings & Facilities)	107,000				
BLDG11029 District Heat Plant Upgrades (Buildings & Facilities)	107,000	214,000	214,000	214,000	214,000
BLDG11031 City-wide Building Inspection & Needs Assessment (Buildings & Facilities)	535,000				
BLDG11032 City Wide Building Improvements (Buildings & Facilities) - includes Lanigan Center Improvements	642,000	642,000	642,000	642,000	642,000
BLDG11033 Downtown Ball Park (Coca-Cola Field) Reconstruction	188,320				

**2011 CITY OF BUFFALO CAPITAL IMPROVEMENT CITIZENS PLANNING COUNCIL
2011-2015 CAPITAL IMPROVEMENTS PROGRAM RECOMMENDATIONS**

	2011	2012	2013	2014	2015
	RECOMMENDED				
DPW - ENGINEERING & STREETS					
ENGR06001 Citywide Infrastructure Repair/Replacement (Engineering)	5,734,563	4,749,790	4,815,000	4,815,000	4,815,000
ENGR07012 Emergency Bridge Repairs (Engineering)	457,960	535,000	535,000	535,000	535,000
ENGR10001 Fruit Belt Redevelopment (Engineering)	90,415				
ENGR11001 West Ferry Lift Bridge Rehabilitation (Engineering)	214,000				
ENGR11003 South Park Loop Bridge Rehabilitation (Engineering)	42,800				
ENGR11004 Elmwood Ave. (Forest to 198) (Engineering)	139,100				
ENGR11005 BNMC Phase II-B (Engineering)	171,200				
ENGR11006 BNMC Phase III (Engineering)	53,500				
ENGR11007 Erie Canal Phase III (Engineering)	53,500				
ENGR11009 Chippewa Street Gateway (Streets)					
STRT08002 Streets Vehicles (Streets)	675,000	850,000	850,000	850,000	850,000
DPW - PARKS					
PRKS11001 Citywide Parks Improvements (Parks) - Includes Olmsted Parks	1,605,000	1,605,000	1,605,000	1,605,000	1,605,000
PRKS11002 Broderick Park Phase I, II (Parks)	750,000				
PRKS11003 Citywide Tree Removal & Planting (Parks)	1,016,998				
PRKS11004 Park Vehicles and Equipment (Parks)	535,000				
DEMOS & STRATEGIC PLANNING					
INSP11001 DEMOLITIONS OF BUILDINGS/STRUCTURES (Demolitions)	2,486,022	2,140,000	2,140,000	2,140,000	2,140,000
TOTAL	22,400,000	13,500,942	13,483,902	13,482,902	13,473,602
COMPTROLLERS CAP - CITY OF BUFFALO	22,400,000	21,700,000	21,500,000	21,400,000	19,400,000

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PROJECT	2011 CIP 2011 REQUEST RECOMMENDED	2010 CPC RECOMMENDED
BUFFALO FIRE DEPARTMENT		
BFD07001 Purchase Fire Apparatus	2,152,252	1,465,900
BLDG11013 Fire Department Various Reconstruction/Upgrades (Buildings & Facilities)	240,750	240,750
Subtotal		1,706,650
BUFFALO POLICE DEPARTMENT		
BPD11001 City Court Prisoner Lock-up (Buildings & Facilities)	1,405,000	1,405,000
BPD11006 Renovation Police Districts (Buildings & Facilities)	467,858	467,858
BPD11007 Police Headquarter Renovation (Buildings & Facilities)	202,444	202,444
Subtotal		2,075,302
CULTURAL ORGANIZATIONS		
ARTS11001 Restoration and Conservation of Public Art (Bldgs & Facil.)	223,000	223,000
BECHS11002 Replacement of Windows in Pan Am Building Annexes (Buildings & Facilities)	53,500	53,500
BMOS11001 Heat Pump Replacement (Buildings & Facilities)	80,250	80,250
BMOS11002 HVAC - Lieberts (Buildings & Facilities)	74,900	74,900
KMH11011 Kleinhans Revitalization Plan (Buildings & Facilities)	724,390	240,750
SHEAS11001 STAGEHOUSE BRICK (Buildings & Facilities)	107,000	107,000
SHEAS11004 FIRE ESCAPE (Buildings & Facilities)	18,190	18,190
SHEAS11005 BOILER REPLACEMENT (Buildings & Facilities)	187,250	187,250
SHEAS11006 Shea's Emergency Generator (Buildings & Facilities)	100,580	100,580
ZOO11002 Zoo Main Animal Building Roof Repair (Engineering)	695,500	150,000
Subtotal		1,235,420
DPW - BUILDINGS		
BLDG11001 City Hall Bathroom Renovation (Buildings & Facilities)	160,500	160,500
BLDG11002 City Hall Electrical Upgrades (Buildings & Facilities)	64,200	64,200
BLDG11007 City Hall Front Entrance Reconstruction (Buildings & Facilities)	208,650	208,650
BLDG11009 City Court Emergency Generator (Buildings & Facilities)	342,400	342,400
BLDG11010 Broadway Market Improvements (Buildings & Facilities) - Citywide Asset	240,750	240,750
BLDG11023 Community Center HVAC & Mechanical Upgrades (Bldgs & Facil.)	197,950	197,950
BLDG11024 Community Center Electrical Upgrades (Bldgs & Facil.)	133,750	133,750
BLDG11025 Community Center Roof Replacements (Buildings & Facilities)	230,050	230,050
BLDG11027 Broadway Depot Roof Replacement (Buildings & Facilities)	107,000	107,000
BLDG11029 District Heat Plant Upgrades (Buildings & Facilities)	107,000	107,000
BLDG11031 City-wide Building Inspection & Needs Assessment	535,000	535,000
BLDG11032 City-wide Building Improvements (includes Lanigan Center Improvements)	454,750	642,000
BLDG11033 Downtown Ball Park (Coca-Cola Field) Reconstruction	492,200	188,320
Subtotal		3,157,570
DPW - ENGINEERING & STREETS		
ENGR06001 Citywide Infrastructure Repair/Replacement (Engineering)	7,490,000	5,146,561
ENGR07012 Emergency Bridge Repairs (Engineering)	535,000	457,960
ENGR10001 Fruit Belt Redevelopment (Engineering) **95**	90,415	90,415
ENGR11001 West Ferry Lift Bridge Rehabilitation (Engineering) **TIP**	214,000	214,000
ENGR11003 South Park Loop Bridge Rehabilitation (Engineering) **95**	42,800	42,800
ENGR11004 Elmwood Ave. (Forest to 198) (Engineering) **95**	139,100	139,100
ENGR11005 BNMC Phase II-B (Engineering) **95**	171,200	171,200
ENGR11006 BNMC Phase III (Engineering) **95**	53,500	53,500
ENGR11007 Erie Canal Phase III (Engineering) **95**	53,500	53,500
STRT08002 Streets Vehicles (Streets)	1,926,000	675,000
Subtotal		7,044,036
DPW - PARKS		
PRKS11001 Citywide Parks Improvements Parks - (Includes funding for Olmsted Parks)	1,200,000	1,605,000
PRKS11002 Broderick Park Phase I, II (Parks) - Citywide Asset		750,000
PRKS11003 Citywide Tree Removal & Planting	1,605,000	1,605,000
PRKS11004 Park Vehicles and Equipment (Parks)	535,000	535,000
Subtotal		4,495,000
DEMOS & STRATEGIC PLANNING		
INSP11001 DEMOLITIONS OF BUILDINGS/STRUCTURES (Demolitions)	10,700,000	2,686,022
Subtotal		2,686,022
TOTAL RECOMMENDATIONS		22,400,000
LESS: COMPTROLLERS CAP		22,400,000
DIFFERENCE		0

95 2011 CIP funds to match 95 % Federal/NYS funding (except ENGR11001 West Ferry Lift Bridge Rehabilitation)

TIP 2011 Funds are needed to complete match for cost increase. New project cost listed in the TIP is \$8 million. Local match is 2.5 % of total cost.



County of Erie

MARK C. POLONCARZ
COMPTROLLER

October 7, 2010

PROPOSE CUTS
COUNTY

District Council Member David A. Franczyk
Fillmore District
65 Niagara Square, Rm. 1315
Buffalo, New York 14202

Dear District Council Member Franczyk,

David

As you may know, on October 1, 2010, the Erie County executive released his proposed budget for the 2011 fiscal year. Normally your office would not be directly impacted by the proposed Erie County budget. However, the proposed cuts to my office are so severe, that if enacted, these cuts will negatively impact your ability to perform your duties to your constituents.

Under the county executive's proposal my office will be cut by 36% percent, fifteen (15) employees, while other departments are barely touched, new jobs controlled by the county executive are created, and raises are given to high-level management under the county executive's control.

In particular as it relates to your ability to serve your taxpayers, his proposal would cut the entire property tax collection division of my department, including Nancy Grant, our supervising accountant for real property tax collection, and John Przybyla, our junior tax accountant, which many of you deal personally with on many occasions. The county executive also cut all the cashiers that accept payment on behalf of the county and other entities, including residents of the City of Buffalo.

As I am sure you are aware, these employees play an important role not only for the county, but they assist the various cities, towns, villages and school districts in the proper preparation, collection and distribution of their property taxes. As was seen in 2009, a small error elsewhere in the county government caused a serious problem with the correct computation and subsequent collection of taxes. Serious issues can arise without proper oversight in place.

By cutting the key personnel in my office who monitor and ensure that Erie County's property taxes are properly set, collected and then distributed out to the county's municipalities, the county executive is in effect guaranteeing that not only the county will be unable to collect taxes, but all town and city governments who rely on these individuals to assist them in their tax collection duties are unable as well.

That is utterly irresponsible.

47A
TBF

Poloncarz Letter to Local Leaders on Budget Cut Impact

October 7, 2010

Page 2 of 3

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Unfortunately the county executive did not stop with those proposed layoffs. He gutted my audit division, taking a strong but still-undersized audit department of seven people and reducing it to two: the audit deputy and one senior accounting analyst. The members of my audit staff have helped numerous towns in past years on a variety of issues. If this division is reduced to two it will be unable to assist local officials as we have in the past.

I am proud of the millions of dollars of waste, fraud and abuse of tax dollars my audit division has uncovered. In fact, my audit division is an award winning team of skilled professionals, having been honored by the Association of Local Government Auditors for its exemplary work, the first time a New York State municipality had been honored with such an award.

He also cut from my department my only associate deputy comptroller, who is in effect my chief of staff and liaison with local governments, and my secretary, who is in fact my legislative liaison.

Incredibly, the county executive also cut the accountant who monitors the county's health insurance payments to ensure the county is not paying health insurance for dead people or overpaying for active and retiree health insurance.

Finally, he proposes cutting almost the entire revenue recovery unit of my office, which brings in millions of dollars for the county. He cut the employee who monitors and collects all hotel tax payments for the county. A rational executive in the private sector would never cut such an employee or an office like my department's tax collection function if he was truly concerned about guaranteeing the county's and this region's future revenues.

In effect he is trying to undo the charter changes of 2006 and last year's election. In times of fiscal distress, the voters of Erie County have always placed their trust in the office of the independent comptroller. After a crisis they have always provided more power to the comptroller's office. Why is that? Because the taxpayers understand that government always works better with a strong financial oversight function in place.

I believe the county executive is trying to end the oversight of him and others by this office. He is trying to kill the independent taxpayer watchdog. He is trying to eliminate the checks and balances required by Erie County's Charter. Unfortunately, these cuts will hurt your municipality as well.

The county executive has been saying that he has had no choice but to address a deficit. My office is reviewing the proposed budget and will be issuing a report on our findings. But let me make this clear: the cuts to my office could have been avoided and will negatively impact all county residents and your ability to provide high quality and efficient services to your constituents.

I will do everything in my power to ensure that the integrity of the comptroller's office is protected for the present and generations to come. The people of the county have spoken many times over that they want a strong watchdog guarding their tax dollars. In our democratic society one man cannot subvert the will of the people, and I will do all to ensure the will of the people is protected and a strong independent comptroller remains for the good of the people of Erie County and to assist your office as you carry out your important duties.

Poloncarz Letter to Local Leaders on Budget Cut Impact

October 7, 2010

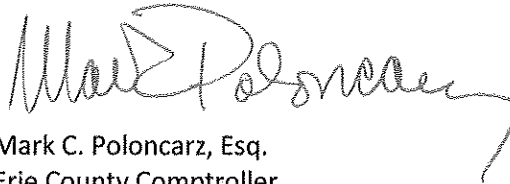
Page 3 of 3

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In turn, I ask you to contact the county executive and members of the Erie County Legislature to tell them that you do not agree with these draconian cuts, especially as they will impact your entity's ability to properly serve your constituents. I have taken the liberty of including a list of the legislators and county executive with their corresponding phone numbers and e-mail addresses. I hope you would call or e-mail each to express your displeasure with this proposed budget and ask that they restore the cuts made to my office, cuts which if enacted unfortunately will have a detrimental impact to your community as well.

As always, if you have any questions or comments please contact me at your earliest convenience.

Sincerely yours,



Mark C. Poloncarz, Esq.
Erie County Comptroller

MCP/rf
Encl.

cc: Erie County Legislature

REFERRED TO THE SPECIAL
COMMITTEE ON BUDGET

183

PETITIONS

November 3, 2010

00052

184

D. Sutton, Agent, Use 448 Elmwood Tenant Build-Out For a Sit-In Restaurant
(Nia)(Pub Hrg 11/9)

REFERRED TO THE COMMITTEE ON LEGISLATION, THE CITY PLANNING
BOARD

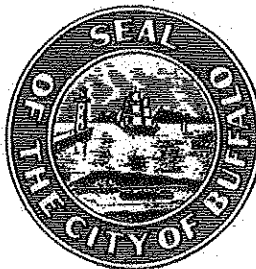
48

OFFICE OF THE CITY CLERK

GERALD A. CHWALINSKI
City Clerk
Registrar of Vital Statistics

PATRICK SOLE, JR.
Deputy City Clerk

DIANA RICO
Deputy City Clerk
Vital Statistics



65 NIAGARA SQUARE
ROOM 1308 CITY HALL
BUFFALO, NEW YORK 14202
PHONE: (716) 851-5431
FAX: (716) 851-4845

This is to acknowledge that I have been informed as to the time and place for the public hearing regarding:

448 Elmwood, Build out for a sit-in Restaurant,
(NIA)

to be held in the Council Chamber, 13th Floor, City Hall On:

November 9, 2010 AT 2:00 PM

I am also informed that this is the only notice that the petitioner and or owner will receive, and that if I am not the owner or petitioner, I will inform said owner, petitioner or his/her agent of the above.

Signed [Signature] (Agent or Owner)

Print Name: David L. [Signature] Phone # (716) 681-0381

Date 10/26/10

ATTENTION:

PLEASE ALSO CONTACT BILL GRILLO PRINCIPAL PLANNER, 851-5086
FOR PLANNING BOARD MEETING.

City of Buffalo
65 Niagara Square
Buffalo, NY 14202
(716)851-4949 Fax (716)851-5472

GC Building Application

180

Report Date 10/26/2010 03:16 PM

Submitted By DAVID KRUG

Page 1

A/P # 160721

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	10/26/2010 15:12	KRUGD	Temp COO		
Issued			COO		
Final			Expires		

Associated Information

Type of Work		# Plans	3	Declared Valuation	65000.00
Dept of Commerce		# Pages	12	Calculated Valuation	0.00
Priority		<input checked="" type="checkbox"/> Auto Reviews	Bill Group	Actual Valuation	0.00
Square Footage	0.00	Name			

Description of Work

COMMON COUNCIL APPROVAL REQ. (RESTRICTED USE IN THE "EB" DIST.) FEE REQUIRED -HEARING REQ. TENANT BUILD-OUT FOR A SIT-IN
RESTAURANT "COFFEE CULTURE" PLANS FILED

Parent A/P

Project #	Project/Phase Name	Phase #
Size/Area	Size Description	

Property/Site Information

Address 448 ELMWOOD
BUFFALO NY 14222-

Location

Owner/Tenant

Contact ID AC334058	Name FJF DEVELOPMENT-448 ELMWOOD	Organization	
Mailing Address 403 MAIN ST STE 725		State/Province NY	
City BUFFALO		Country USA	<input type="checkbox"/> Foreign
ZIP/PC 14203		Evening Phone	
Day Phone		Mobile #	
Fax			

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

No Addresses are linked to this Application

Linked Parcels

1004500004009000

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

187

Report Date 10/26/2010 03:16 PM

Submitted By DAVID KRUG

Page 3

Review Activities Act # Comp By	Act Type Comments	Status	Waived	Issued	Started	Completed
529697	CC APP	0	N			
529698	ELECTRICAL	0	N			
529696	ELMWOOD	0	Y	10/26/2010 15:12		
529699	FPLAN	0	N			
529700	HPLAN	0	N			
529701	PLAN REV	0	N			
529702	PPLAN	0	N			

Activity Review Details

No Activity Review Details

Check Conditions Condition Supervisor Required	Approval	Approved By Comments	Approved Date	Applied By	Applied Date	Assigned
--	----------	-------------------------	---------------	------------	--------------	----------

No Conditions

General Construction

0 No. of Residential Units Lost ☐ Residential ☐ Work Without Permit (FINE) Debris:
0 No. of Residential Units Added ☒ Commercial ☐ Work Done by Owner ☐ Truss Construction

☐ Zoning Board of Appeals

ELEVATORS

You must fill out the custom form on activity detail if there is ELEVATOR work to be completed.

Building Construction: FRAME

USE SQ FT USE	Sq. Ft.	Demo	GC
------------------	---------	------	----

A 1758.00 Y

Employee Employee ID	Last	First	MI	Comments
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No Employee Entries

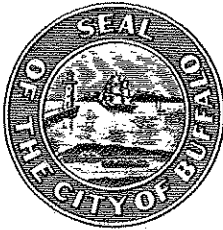
Log Action Comments	Description	Entered By	Start	Stop	Hours
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No Log Entries



1998, p. 279.

00053



Common Council

City of Buffalo

RICHARD A. FONTANA
MAJORITY LEADER

LOVEJOY DISTRICT COUNCIL MEMBER

65 NIAGARA SQUARE, 1414 City Hall
BUFFALO, NY 14202-3318

PHONE: (716) 851-5151 ♦ FAX: (716) 851-5141

*ALTERNATE PARKING
SOUTH OGDEN*

CHAIRMAN

BUDGET COMMITTEE
POLICE OVERSIGHT COMMITTEE

COMMITTEES

CIVIL SERVICE
CLAIMS
COMMUNITY DEVELOPMENT
EDUCATION
LEGISLATION
MBEC
RULES

SENIOR LEGISLATIVE ASSISTANT

ROSETTA J. KENNEDY

LEGISLATIVE AIDE

BRYAN BOLLMAN

10/27/2010

Mr. Gerald Chwalinski
City Clerk
1308 City Hall
Buffalo, NY 14202

Mr. Chwalinski:

Please file the attached item for the next upcoming meeting of the Common Council.

Sincerely,

A handwritten signature in cursive script that reads "Richard Fontana".

Richard A. Fontana
Majority Leader

RAF:tjo

REFERRED TO THE COMMITTEE ON LEGISLATION AND THE DEPARTMENT OF PUBLIC WORKS AND
Division of Parking

PARKING

951

This is a petition to establish alternate parking on S. Ogden St. between Clinton St. and Griswold St. throughout the winter months (Between November and April). Being an older neighborhood that has many duplexes with small and narrow driveways, parking on the street during the winter months is necessary.

#	Owner	Tenant	Signature	Print Name	Address
1	X		Amanda L. OHL	Amanda OHL	419 S Ogden
2		X	David L. OHL	D. OHL	425 S Ogden
3	X		John J. OHL	John J. OHL	435 S Ogden
4	X		Christina M. Martini	Christina M. Martini	431 S Ogden
5	X		Matthew Marucci	Matthew Marucci	443 S Ogden
6	X		Michael Gozdzik	Michael Gozdzik	451 S Ogden
7		X	Maciej W. Wosinski	M. Wosinski	453 S Ogden
8		X	Dana Upelings	Dana Upelings	457 S Ogden
9	X		Mrs. B. Wosinski	Mrs. B. Wosinski	457 S Ogden
10	X		Tim Leavens	Tim Leavens	457 S Ogden
11	X		Tom Zambrowski	Tom Zambrowski	465 S Ogden
12		X	Danielle Jambrowski	Danielle Jambrowski	465 S Ogden
13	X		Dennis S. Jambrowski	Dennis S. Jambrowski	471 S Ogden ST
14	X		BAAD VELAT	BAAD VELAT	487 / 485 S Ogden
15		X	Tracie Hall	Tracie Hall	493 S Ogden
16	X		Sharon Costello	Sharon Costello	494 S Ogden
17	X		Donna L. Harper	Donna L. Harper	490 S Ogden St 1

This is a petition to establish alternate parking on S. Ogden St. between Clinton St. and Griswold St. throughout the winter months (Between November and April). Being an older neighborhood that has many duplexes with small and narrow driveways, parking on the street during the winter months is necessary.

#	Owner	Tenant	Signature	Print Name	Address
18	✓	✓	Donald Harper	Darryl Harper	496 S. Ogden St
19	✓		Kenneth Moskos	Kenneth Moskos	484 S. Ogden St.
20	✓	✓	Eastern Ross	Cathleen E. Ross	471 S. Ogden St.
21	✓		John St. J.	John McKeon	468 S. Ogden St
22	✓		John St. J.	Marianne Varnum	466 S. Ogden St
23	✓		Barbara Rokitta	BARBARA ROKITKA	461 S Ogden St
24	✓		James B. Rokitta	JAMES B ROKITKA	461 S Ogden St.
25	✓		Paula Pyszczalski	PAUL PYSZCZALSKI	458 S. Ogden St
26	✓		James W. Wozniak	JAMES W. WOZNIAK	447 S. Ogden St.
27	✓		A. K. Wozniak	A. K. W. WOZNIAK	436 S Ogden St
28	✓	✓	Myra Wozniak	MYRA WOS	432 S. Ogden St
29	✓	✓	Shirley Wozniak	SHIRLEY WOZNIAK	428 S Ogden St
30	✓		Robert Wozniak	Robert Wozniak	445 S Ogden St.
31	✓	✓	Jason Walcott	Jason Walcott	445 S. Ogden St upper
32	✓		Donald Pictorick	Donald Pictorick	446 South Ogden St.
33	✓	✓	Annadale Keller	Annadale Keller	450 South Ogden St
34	✓	✓	Nate Bosowicz	Nate Bosowicz	426 South Ogden

This is a petition to establish alternate parking on S. Ogden St. between Clinton St. and Griswold St. throughout the winter months (Between November and April). Being an older neighborhood that has many duplexes with small and narrow driveways, parking on the street during the winter months is necessary.

#	Owner	Tenant	Signature	Print Name	Address
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					
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46					
47					
48					
49					
50					
51					

Latrice Spottella
481-7672

Regular Committees

193

CIVIL SERVICE
(BONNIE E. RUSSELL, CHAIRPERSON)

194

Appt Confidential Secretary to the Exec Dir(Prov)(Exempt)
(Boulware-Wright)(Strat Plan)
Ccp# 16, 10/19

Mrs. Russell moved

That the above item be the same and hereby is Received and Filed

ADOPT

Richard L. Fontana MJ

Recommended by the Committee on Civil Service

193

Mrs Russell moved

PASSED

AYES - 9 NOES - 0

Recommended by the Committee on Civil Service.

Richard J. *mo*



196

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	8	0	*
	*	*	*	*
	*	*	*	*

Maj - 5

2/3 - 6

3/4 - 7

00056

197

Appt Building Inspector(Temp)(Max)(Sexton)(EDPI)
(ccp# 31, 10/19)

Mrs Russell moved

That Communication of 31 of October 19, 2010, be received and Filed
and that the Temporary appointment of John T. Sexton, 147 Fordham
Drive, Buffalo, NY 14216 at the Maximum Salary of \$53,891.00 is
hereby approved.

PASSED

AYES - 9 NOES - 0

Recommended by the Committee on Civil Service

Richard Sexton ms

3

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8	* D	*
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	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

00058

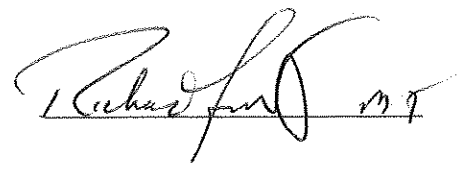
200

Notices of Appointments-Temp/Prov/Perm(Cty Clk)
Ccp# 41, 10/5

Mrs. Russell moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in cursive script, appearing to read "Richard J. Smith", written over a horizontal line.

Recommended by the Committee on Civil Service

5

201

FINANCE
(MICHAEL P. KEARNS, CHAIRPERSON)

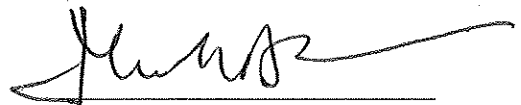
202

M. Kearns-Invitation to Bflo Museum of Science Ex Director Mortenson to Attend Finance
Meeting
Ccp# 45, 10/19

Mr. Kearns moved

That the above item be the same and hereby is Received and Filed

ADOPT

A handwritten signature in dark ink, appearing to be "Kearns", written over a horizontal line.

Recommended by the Committee on Finance

6

Recycling Request for Proposals
(Item No. 28, C.C.P., July 20, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. Kearns moved:

That the Commissioner of Public Works, Parks and Streets, be, and he hereby is authorized to award a contract to Allied Waste.

Passed.

Recommended by the Committee on Finance


Chairman

204

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	/	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

*	*	*
*	7	*
*	*	1
*	*	*

Maj - 5
2/3 - 6
3/4 - 7

205

**COMMUNITY DEVELOPMENT
(MICHAEL J. LOCURTO, CHAIRPERSON)**

BURA – Land Lease 450 Exchange Street and 479-481 Alabama
(Item No. 35, C.C.P., Oct. 19, 2010)

That the above item be, and the same hereby is returned to the Common Council
without recommendation.

Lo Curo
Mr. Golombek moved:

That the above-mentioned item be and the same is hereby received and filed.

Adopted.

Recommended by the Committee on Community Development

[Signature]
Chairman

8

Lease 450 Exchange Street and 479-481 Alabama Graphic Controls, LLC
(Item No. 86, C.C.P., Oct. 19, 2010)

That the above item be, and the same hereby is returned to the Common Council
without recommendation.

L. C. C.

Mr. ~~Golombek~~ moved:

That the Mayor, the Chairman, Vice-Chairman, or any duly authorized officer of
the City of Buffalo Urban Renewal Agency is hereby authorized to execute any and all
documents necessary to lease the property known as 450 Exchange Street and 479-481
Alabama, located in the South Ellicott Phase 2 Urban Renewal Agency to Graphic
Controls which is subject to approval of Agency Legal Counsel.

Passed

Recommended by the Committee on Community Development


Chairman

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8	*	*
	*	*	0	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

2010-2011 Annual Action Plan Amendment
(Year 36 Community Development Block Grant)
(Item No. 1, C.C.P., Oct. 19, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

W. Golombek
Mr. Golombek moved:

That the Common Council approve an amendment to the City of Buffalo's 2010-2011 Annual Action Plan in accordance with an increased allocation of funds set forth by the U.S. Department of Housing & Urban Development.

Adopted.

Recommended by the Committee on Community Development

W. J. L.
Chairman

TAB:rmv
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RECOMM IT

Mr. LoCurto moved that the above item be recommitted to the Committee on Community Development

ADOPTED

Report of Sale – 738 Humboldt Parkway
(Item No. 10, C.C.P., Oct. 19, 2010)

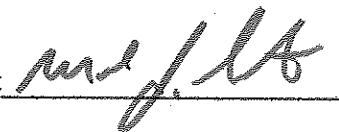
That the offer from Mrs. Etta D. House, residing at 740 Humboldt Parkway, in the sum of Two Thousand and Seven Hundred Dollars (\$2,700.00) for the purchase of 738 Humboldt Parkway, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development
Chairman



* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8	0	*
	*	*	*	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

00065

212

Report of Sale – 255 Landon
(Item No. 12, C.C.P., Oct. 19, 2010)

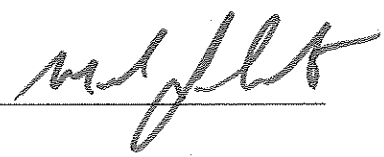
That the offer from Mr. Huncles Means, residing at 253 Landon Street, in the sum of One Thousand Dollars (\$1,000.00) for the purchase of 255 Landon, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development
Chairman



12

213

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	
	*	8	*	*
	*	*	0	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

00066

214

Report of Sale – 285 Loepere
(Item No. 14, C.C.P., Oct. 19, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. LoCurto moved:

That the offer from Mr. Mohammad A. Khan and Mrs. Surriaya Khan, residing at 993 Sycamore Street, in the sum of Three Thousand and Seven Hundred Dollars (\$3,700.00) for the purchase of 285 Loepere Street, be and hereby is accepted; and

That the transfer tax, recording fees and cost of legal description shall be paid by the purchaser; and

That the Office of Strategic Planning be authorized to prepare the necessary documents for the transfer of title and that the Mayor be authorized to execute the same, in accordance with the terms of sale upon which the offer was submitted.

Passed.

Recommended by the Committee on Community Development
Chairman



RECON

13

Mr. LoCurto moved that the above item be recommitted to the Committee on Community Development

ADOPTED

00067

215

COB Snow Plan 2010-2011 (PW)
(#19, 10/19)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Community Development

A handwritten signature in dark ink, appearing to be "mlf", is written over a horizontal line.

14

00068

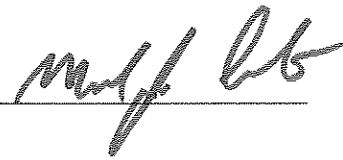
216

NYSDEC – Inactive Hazardous Waste Disposal Site Delist Notice-Anaconda Co.
(#47, 10/19)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Community Development



15

BERC Providing Bonuses to it Employees (Except Resolves)
(#108, 7/20)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Community Development

A handwritten signature in dark ink, appearing to be "md flt", written over a horizontal line.

00070

2/8

M. LoCurto-Req Accounting of Monies Allocated by CC to BERC's Care,
Sign or Other Programs
(#55, 7/6)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Community Development

A handwritten signature in dark ink, appearing to be "m/lt", written over a horizontal line.

17

LEGISLATION
(JOSEPH GOLOMBEK JR., CHAIRPERSON)

D. Land, Petition to use 2616 Main – Convert Take-out to a Sit-down Bar/Restaurant
(Item No. 50, C.C.P., Oct. 19, 2010)

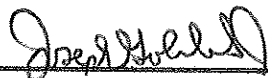
That the above item be, and the same hereby is, returned to the Common Council without recommendation.

Mr. Golombek moved:

That after the public hearing before the Committee on Legislation on October 26, 2010, the petition of D. Land, agent, for permission to use 2616 Main Street for a take-out to a sit-down bar/restaurant be, and hereby is approved.

Passed.

Recommended by the Committee on Legislation


Chairman

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RECOM

18

220A

**Mr. Golombek moved that the above item be recommitted to the Committee on
Legislation.**

ADOPTED

D. Lloyd, Petition to use 23 Allen Street – Take-Out Restaurant
(Item No. 51, C.C.P., Oct. 19, 2010)

That after the public hearing before the Committee on Legislation on October 26, 2010, the petition of D. Lloyd, owner, for permission to use 23 Allen Street for a take-out restaurant be, and hereby is approved.

Passed.

Recommended by the Committee on Legislation


Chairman

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19

228

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*
	*	*	*	*
	*	8 * 0	*	*
	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

923

Appointments to Shared Asset Forfeiture Fund Advisory Committee
(Item No. 2, C.C.P., Oct. 19, 2010)

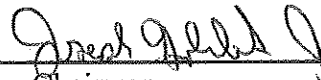
That the above item be, and the same hereby is, returned to the Common Council without recommendation.

Mr. Golombek moved:

That the appointment of Janet Penksa for a two year term and Donna Estrich for a three year term to the Shared Asset Forfeiture Fund Advisory Committee are hereby confirmed on the condition that they do not owe any outstanding liens to the City of Buffalo:

Passed.

Recommended by the Committee on Legislation


Chairman

TAB:rmv

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20

224

* AYE * NO *

				*
FONTANA	*	*	*	*
FRANCZYK	*	*	*	*
GOLOMBEK	*	*	*	*
HAYNES	*	*	*	*
KEARNS	*	*	*	*
LOCURTO	*	*	*	*
RIVERA	*	*	*	*
RUSSELL	*	*	*	*
SMITH	*	*	*	*

Maj - 5
2/3 - 6
3/4 - 7

*	*	*
*	*	*
*	*	*
*	*	*

Food Store License – 684 LaSalle
(Item No. 30, C.C.P., Oct. 19, 2010)

That the above item be, and the same hereby is returned to the Common Council without recommendation.

Mr. Golombek moved:

That pursuant to Chapter 194 of the City Code, the Commissioner of Permit and Inspections Services be, and he hereby is authorized to grant a Food Store License to Ali M. Al Baagri located at 684 LaSalle d/b/a Peters Food Mart II.

Passed.

Recommended by the Committee on Legislation


Chairman

TAB:rmv
T:\wp60\mword\rmv\30c10-19c.doc

REC'd

21

Mr. Golombek moved that the above item be recommitted to the Committee on Legislation

ADOPTED

00075

226

J. Golombek-Bflo News Article-Brown Skimped When Recruiting Key Posts
(#44, 10/5)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation Jack Golombek

22

00076

227

C. Culhane & O-Stop the Dismantling of Playground Located at 376 Urban St.
(#50, 9/21)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation Joel Kelly

23

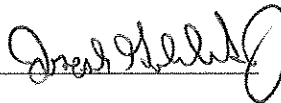
00077

228

D. Pridgen-Support Responsible Tobacco Retailing Act
(#85, 9/7)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation 

24

00078

229

K.M. Cummings-Remarks Responsible Tobacco Retailing Act
(#50, 7/6)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation James Hall

25

00079

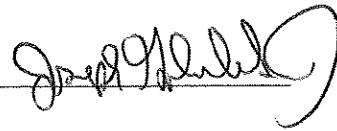
230

D. Smith-Misc. Support Letters for Responsible Tobacco Retailing Act
(#64, 7/20)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation

A handwritten signature in dark ink, appearing to be "J. P. Smith", written over a horizontal line.

26

00080

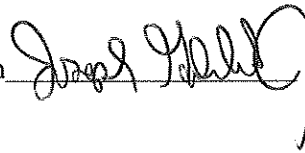
231

C. Martzolf & O-Support Proposed Responsible Tobacco Retailing Act
(#69, 7/20)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation



27


232

NYSDEC – New Fish Health Req – Transport of Emerald Shiner Minnows
(#32, 4/13)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation



28

223

J. Golombek – New Fish Health Regulation – Trans. Of Emerald Shiner Minnows
(#38, 9/29)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation Joseph Golombek

234

Paul H. H. H.

30

00084

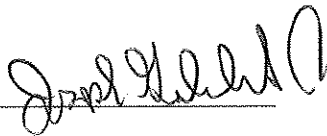
235

NYSDEC – SEQR – Battaglia Transfer Station 1037-1055 Seneca St. (Fill)
(#35, 3/3)

That the above item be the same and hereby is Received and Filed.

ADOPTED

Recommended by the Committee on Legislation



31

236

RESOLUTIONS

By: Mr. Fontana

Re: Discharge Budget Committee
Item #44 C.C.P. October 19, 2010
"J. Golombek-News Article-Lawmakers Try to Solve Big Screen
Mystery"

Whereas: The above item is currently in the Budget Committee; and

Whereas: It is no longer necessary for this item to be considered by that committee;

Now, Therefore Be it Resolved:

That this Common Council does hereby discharge the Budget Committee
from further consideration of Item #44 C.C.P. October 19, 2010 "J.
Golombek-News Article-Lawmakers Try to Solve Big Screen Mystery"
and said item is now before the Common Council for its consideration.


Richard A. Fontana.

ADOPT DISCHARGE, REFER TO THE COMMITTEE ON FINANCE

RECEIVED AND FILED

Ref

50

00086

RESOLUTION

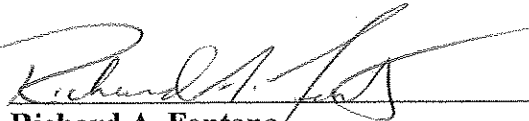
By: Mr. Fontana

RE: Excuse Councilmember Russell from Meeting

WHEREAS, Councilmember Bonnie E. Russell will be unable to attend the Council meeting on Wednesday, November 3, 2010;

NOW, THEREFORE BE IT RESOLVED,

That the Common Council excuses Councilmember Bonnie E. Russell from attending the Wednesday, November 3, 2010, Common Council meeting.



Richard A. Fontana
Lovejoy District Council Member

ADOPTED

237

50A

RESOLUTION

By: Mr. Fontana

**RE: INVESTIGATION INTO TOXIC ODORS IN HOUGHTON PARK AND
KAISERTOWN**

WHEREAS, City residents frequently turn to their District Council Member for help when they find themselves presented with health, safety and/or quality of life issues in their neighborhoods; and

WHEREAS, Recently, the Lovejoy District Council Office has received a number of calls from residents of the Houghton Park and Kaisertown areas complaining that the release of foul-smelling "toxic" chemicals near their homes is disrupting their quality of life and causing health concerns; and

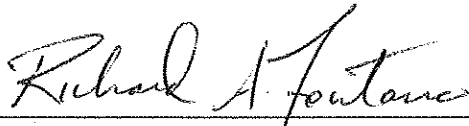
WHEREAS, According to local residents, the source of these noxious odors is a company known as Engineered Composites Incorporated ("ECI"), which is located at 55 Roberts Ave. Residents have claimed that they first noticed these "toxic" chemical emissions around the time when ECI added a third work shift at their facility.

NOW, THEREFORE BE IT RESOLVED,

That the Common Council respectfully requests that the City of Buffalo Department of Permits & Inspection Services, Erie County Health Department and New York State Department of Environmental Conservation act with all expedience to investigate these potentially dangerous noxious odors. The Common Council asks that the Department of Environmental Conservation report back to the Common Council as to whether or not the company is within its legally permitted levels for release of toxins into the air.

BE IT FINALLY RESOLVED,

That the Common Council respectfully requests that a copy of this resolution be forwarded to the City of Buffalo Department of Permits & Inspection Services, Erie County health Department, and New York State Department of Environmental Conservation for the review and comment.



Richard A. Fontana
Lovejoy District Council Member

REFER TO THE COMMITTEE ON COMMUNITY DEVELOPMENT AND THE DEC

239
BY: MESSRS. FRANCZYK, LOCURTO, KEARNS , FONTANA, RIVERA , COLOMBEK, SMITH

PREVENT APPALLING LIBRARY CUTS

WHEREAS: Since the founding of America's first lending library by Benjamin Franklin in 1731, our nation has wisely adopted this truly democratic form of disseminating knowledge in towns, villages and cities from coast to coast; and,

WHEREAS: The Buffalo and Erie County Library System carries on this enlightened legacy since its merger via a vote by the Buffalo City Council, Erie County Board of Supervisors and New York State Legislature in 1954; and,

WHEREAS: The hallmark of a progressive, literate society, indeed the linchpin of any civilization worthy of its name, is strong public support for its libraries; and,

WHEREAS: The ancient Greeks understood that the only true evil is ignorance; and,

WHEREAS: On the heels of hurtful Erie County library closings in recent years, reducing the number of libraries from 51 to 37, the Erie County Executive's 2010 – 2011 budget hacks another \$4 million from the library system, leading to an anticipated \$6.75 million shortfall; and,

WHEREAS: Particularly in the midst of the "Great Recession," Erie County residents are in greater need of their community libraries for computer use for job hunting, general research and intellectual improvement. Indeed, as the Buffalo News reported on 10/21/10, "Library use is higher than it has been in the past six years, with nearly four million visits and nearly 842,000 computer sessions expected before the end of the year;" and,

WHEREAS: Many young people do not have computer access at home, and may not be able to afford a "kindle" or other technologies and books that only the library can provide; and,

WHEREAS: Council Members in the City of Buffalo, recognizing the profound importance of the community library, have actually stepped up to the plate, and through great effort and cost, reopened neighborhood libraries shuttered by the last round of closings; and,

WHEREAS: When cuts were proposed to libraries in 1914 and during the Great Depression in the 1930's, an angry citizenry fought successfully to reverse those budget reductions, providing an inspiration for a similar popular outcry which is needed today;

NOW THEREFORE BE IT RESOLVED:

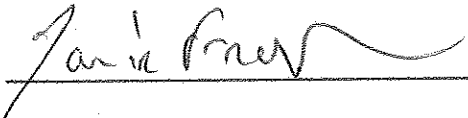
That the Common Council condemns the ill conceived county budget cuts to the Buffalo and Erie County Library system, bulwark of an informed citizenry in a democratic society ; and,

BE IT FURTHER RESOLVED:

57

240

That the Erie County Legislature show true leadership by restoring the \$4 million in cuts meted out by the Erie County Executive in its final budget approval.



DAVID A. FRANCYK



MICHAEL J. LOCURTO



MICHAEL P. KEARNS

ADOPTED

RESOLUTION

By: Mr. Golombek

Re: Protection From Natural Gas Extraction

Whereas: The Commercial extraction of natural gas in the urban environment of Buffalo poses a significant threat to the health, safety, and welfare of residents of the City of Buffalo; and

Whereas: Widespread environmental and human health impacts have resulted from commercial gas extraction in other areas; and

Whereas: Regulating the activity of commercial gas extraction automatically means allowing commercial gas extraction to occur within the city, thus allowing the deposition of toxins into the air, soil, water with potentially harmful health implications for city residents; and

Whereas: Meaningful regulatory limitations and prohibitions concerning natural gas extraction, along with zoning and land use provisions, are barred because they conflict with certain legal powers; and

Whereas: Environmental and economic sustainability cannot be achieved if the rights of municipal majorities are routinely overridden by corporate minorities claiming certain legal powers; and

Whereas: The Common Council believes that the protection of residents, neighborhoods, and the natural environment constitutes the highest and best use of regulatory powers that the City of Buffalo possesses; and

Whereas: Local legislation that embodies the interests of the community is mandated by the doctrine of the consent of the governed, and the right to local, community self-government;

Now Therefore Be It Resolved:

That this Common Council goes on record in support of a ban on commercial extraction of natural gas within the City of Buffalo; and

Be It Further Resolved:

That the Law Department create a Bill of Rights for the residents of the City of Buffalo and remove any legal powers from gas extraction corporations that operate or may operate in the City of Buffalo.

ADOPT Resolves, Refer Remainder to the Committee on Legislation

Joseph Golombek, Jr.

Joseph Golombek, Jr.

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**AN ORDINANCE TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF RESIDENTS AND NEIGHBORHOODS OF
BUFFALO BY BANNING THE COMMERCIAL EXTRACTION OF NATURAL GAS WITHIN THE CITY; ESTABLISHING
A BILL OF RIGHTS FOR BUFFALO RESIDENTS; AND REMOVING LEGAL POWERS FROM GAS EXTRACTION
CORPORATIONS WITHIN THE CITY**

Section 1—Name

This Ordinance shall be known and may be cited as “Buffalo’s Community Protection from Natural Gas Extraction Ordinance.”

Section 2—Authority

This Ordinance is enacted pursuant to the inherent right of the residents of the City of Buffalo to govern their own community, including, without limitation, the Declaration of Independence’s declaration that governments are instituted to secure the rights of people, the New York Constitution which states, “No member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof,” and the home rule act of 1963 which states that “every local government shall have power to adopt and amend local laws” pertaining to “the protection and enhancement of its physical and visual environment; the government, protection, order, conduct, safety, health and well-being of persons or property therein. This provision shall include but not be limited to the power to adopt local laws providing for the regulation or licensing of occupations or businesses.”

Section 3—Findings and Purpose

Whereas, the City Council of Buffalo finds that the commercial extraction of natural gas in the urban environment of Buffalo poses a significant threat to the health, safety, and welfare of residents and neighborhoods within the City; and

Whereas, the City Council finds that widespread environmental and human health impacts have resulted from commercial gas extraction in other areas, and

Whereas, the City Council finds that *regulating* the activity of commercial gas extraction automatically means *allowing* commercial gas extraction to occur within the City, thus allowing the deposition of toxins into the air, soil, water, environment, and the bodies of residents within our City; and

Whereas, the City Council finds that meaningful regulatory limitations and prohibitions concerning natural gas extraction, along with zoning and land use provisions, are barred because they conflict with certain legal powers claimed by resource extraction corporations; and

Whereas, the City Council recognizes that environmental and economic sustainability cannot be achieved if the rights of municipal majorities are routinely overridden by corporate minorities claiming certain legal powers; and

Whereas, the City Council believes that the protection of residents, neighborhoods, and the natural environment constitutes the highest and best use of the police powers that this municipality possesses; and

Whereas, the City Council believes that local legislation that embodies the interests of the community is mandated by the doctrine of the consent of the governed, and the right to local, community self-government;

Therefore, the City Council hereby adopts this ordinance, which bans commercial extraction of natural gas within the City of Buffalo, creates a bill of rights for the residents and communities of the City, and removes certain legal powers from gas extraction corporations operating within the City of Buffalo.

Section 4- Statements of Law – Rights of Buffalo Residents and the Natural Environment

Section 4.1: Right to Water. All residents, natural communities and ecosystems in Buffalo possess a fundamental and inalienable right to sustainably access, use, consume, and preserve water drawn from natural water cycles that provide water necessary to sustain life within the City.

Section 4.2: Rights of Natural Communities. Natural communities and ecosystems, including, but not limited to, wetlands, streams, rivers, aquifers, and other water systems, possess inalienable and fundamental rights to exist and flourish within the City of Buffalo. Residents of the City shall possess legal standing to enforce those rights on behalf of those natural communities and ecosystems.

Section 4.3: Right to Self-Government. All residents of Buffalo possess the fundamental and inalienable right to a form of governance where they live which recognizes that all power is inherent in the people, that all free governments are founded on the people's authority and consent, and that corporate entities and their directors and managers shall not enjoy special privileges or powers under the law which make community majorities subordinate to them.

Section 4.4: People as Sovereign. The City of Buffalo shall be the governing authority responsible to, and governed by, the residents of the City. Use of the "City of Buffalo" municipal corporation by the sovereign people of the City to make law shall not be construed to limit or surrender the sovereign authority or immunities of the people to a municipal corporation that is subordinate to them in all respects at all times. The people at all times enjoy and retain an inalienable and indefeasible right to self-governance in the community where they reside.

Section 5-Statements of Law – Prohibitions and Corporate Legal Privileges

Section 5.1. It shall be unlawful for any corporation to engage in the extraction of natural gas within the City of Buffalo. "Extraction" shall mean the digging or drilling of a well for the purposes of exploring for, developing or producing natural gas or other hydrocarbons. "Natural Gas" shall mean any gaseous substance, either combustible or noncombustible, which is produced in a natural state from the earth and which maintains a gaseous or rarified state at standard temperature or pressure conditions, and/or gaseous components or vapors occurring in, or derived from, petroleum or natural gas.

Section 5.2. Corporations in violation of the prohibition against natural gas extraction, or corporations seeking to engage in natural gas extraction shall not have the rights of "persons" afforded by the United States and New York Constitutions, nor shall those corporations be afforded the protections of the commerce or contracts clauses within the United States Constitution or corresponding sections of the New York Constitution. "Corporations," for purposes of this ordinance, shall include any corporation, limited partnership, limited liability partnership, business trust, or limited liability company organized under the laws of any state of the United States or under the laws of any country, and any other business entity that possesses State-conferred limited liability attributes for its owners, directors, officers, and/or managers.

Section 5.3. Corporations engaged in the extraction of natural gas shall not possess the authority or power to enforce State or federal preemptive law against the people of the City of Buffalo, or to challenge or overturn municipal ordinances adopted by the City Council of Buffalo.

Section 5.4. No permit, license, privilege or charter issued by any State or federal agency, Commission or Board to any person or any corporation operating under a State charter, or any director, officer, owner, or manager of a corporation operating under a State charter, which would violate the prohibitions of this Ordinance or deprive any City resident(s), natural community, or ecosystem of any rights, privileges, or immunities secured by this Ordinance, the New York Constitution, the United States Constitution, or other

laws, shall be deemed valid within the City of Buffalo.

Section 6—Enforcement

Section 6.1: Any person, corporation, or other entity that violates any prohibition of this Ordinance shall be guilty of a summary offense and, upon conviction thereof by a court of competent jurisdiction, shall be sentenced to pay the maximum fine allowable under State law for that violation, and shall be imprisoned to the extent allowed by law. A separate offense shall arise for each day or portion thereof in which a violation occurs and for each section of this Ordinance found to be violated.

Section 6.2: The City of Buffalo may also enforce this Ordinance through an action in equity brought in a court of competent jurisdiction. In such an action, the City of Buffalo shall be entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

Section 6.3: Any City resident shall have the authority to enforce this Ordinance through an action in equity brought in a court of competent jurisdiction. In such an action, the resident shall be entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

Section 7—Effective Date and Existing Permitholders

This Ordinance shall be effective five (5) days after the date of its enactment, at which point the Ordinance shall apply to any and all commercial extractions of natural gas in Buffalo regardless of the date of any applicable State or federal permits.

Section 8—People's Right to Self-Government

Section 8.1. The foundation for the making and adoption of this law is the people's fundamental and inalienable right to govern themselves, and thereby secure their rights to life, liberty, and pursuit of happiness. Any attempts to use other units and levels of government to preempt, amend, alter, or overturn this Ordinance, or parts of this Ordinance, shall require the City Council to hold public meetings that explore the adoption of other measures that expand local control and the ability of residents to protect their fundamental and inalienable right to self-government. Such consideration may include actions to separate the municipality from the other levels of government used to preempt, amend, alter, or overturn the provisions of this Ordinance or other levels of government used to intimidate the people of the City of Buffalo or their elected officials.

Section 9—Severability

The provisions of this Ordinance are severable. If any court of competent jurisdiction decides that any section, clause, sentence, part, or provision of this Ordinance is illegal, invalid, or unconstitutional, such decision shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the Ordinance. The City Council of Buffalo hereby declares that in the event of such a decision, and the determination that the court's ruling is legitimate, it would have enacted this Ordinance even without the section, clause, sentence, part, or provision that the court decides is illegal, invalid, or unconstitutional.

Section 10—Repealer

All inconsistent provisions of prior Ordinances adopted by the City of Buffalo are hereby repealed, but only to the extent necessary to remedy the inconsistency.

ENACTED AND ORDAINED this ____ day of _____, 2010, by the City Council of Buffalo.

By: _____

245

RESOLUTION**By: Michael P. Kearns, David A. Rivera, Michael J. LoCurto****RE: City of Buffalo's Tree Removal Plan**

WHEREAS, The October 2006 Snow Storm drastically reduced the number of trees in Buffalo; the storm destroyed 8,400 mature trees throughout the City and damaged many more; and

WHEREAS, The City of Buffalo has its own Forestry Department, consisting of four employees and a supervisor. Although, we have a Forestry Department there is still a need to contract out services because the Forestry Department's current employees are not power line certified arborists and also lack the equipment necessary for the removal of trees over 90 feet; and

WHEREAS, The City of Buffalo has \$40,000 available for emergency tree removals, to protect City residents from fallen trees. It has been estimated that 3,500 trees need to be removed in the City of Buffalo. The trees in need of removal are not standard tree removals that can be accomplished in-house by our Forestry Department. Although some may believe these removals to be low priority; fallen and deteriorating trees pose an immediate hazardous condition for the residents of the City of Buffalo. By consultant ratings, \$40,000 is not an adequate amount for necessary tree removals as we approach the winter season; and

WHEREAS, In the 2011 Capital Budget Recommendations for Capital Projects, Mayor Brown has recommended \$1,605,000 for city wide tree removal and planting. As the City currently does not have a tree removal contract in place, residents will be forced to wait until July of next year before many of these perilous trees can be removed. The residents of the City of Buffalo should not and cannot wait until July of next year to have these perilous trees removed. There are branches falling on a daily basis in neighborhoods throughout the City, and young children playing and walking by these unsafe trees regularly; and

NOW, THEREFORE BE IT RESOLVED,

That the Common Council does hereby request that the City of Buffalo Deputy Commissioner of Public Works and the head of the Forestry Department report to the Common Council on the status of the City of Buffalo's tree removal plan; and

NOW, THEREFORE BE IT FURTHER RESOLVED

The Deputy Commissioner is hereby directed to furnish a list of all trees that have been identified as being in need of removal by Common Council District; and

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RT

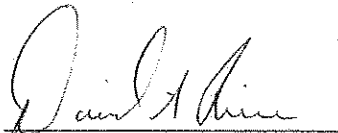
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NOW, THEREFORE BE IT FINALLY RESOLVED

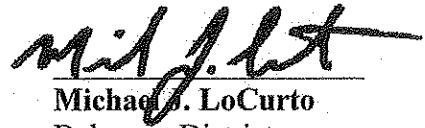
That copies of this resolution be sent to Andrew Rabb, Deputy Commissioner of Public Works, Parks & Streets; and Jeff Brett City Forester.



Michael P. Kearns
South District



David A. Rivera
Niagara District



Michael J. LoCurto
Delaware District

Adopt Resolves, Refer remainder to the Committee on Legislation

246

RESOLUTION**Sponsor: Mr. Kearns****Re: Composition of the Police Reorganization Commission****Whereas:** On July 20, 2010, this Honorable Body adopted the resolves of a resolution entitled "**Joint Commission to Examine Police Reorganization**" (Res. 104, July 20); and**Whereas:** Pursuant to the resolution cited above, the Common Council has requested the Mayor and Buffalo Police Benevolent Association ("PBA") to collaboratively join with this Honorable Body to once again empanel and empower a **Joint Commission to Examine Police Reorganization** to review the organizational structure of the Buffalo Police Department, evaluate its strengths and weaknesses, and develop a plan to reorganize the Buffalo Police Department in a way which balances the need to efficiently use personnel and equipment with the responsibility to keep neighborhood residents safe and maximize community policing; and**Whereas:** Pursuant to this adopted resolution, the membership of the **Joint Commission to Examine Police Reorganization** was envisioned to be comprised of: five (5) members to be appointed by the Mayor; five (5) members to be appointed by the Common Council; and two (2) members to be appointed by the Buffalo Police Benevolent Association; and**Whereas:** With the onset of this initiative, there has been an outpouring of community support such that a number of highly qualified candidates comprising a diverse cross section of the community have come forth expressing interest in serving as Common Council appointees on this commission; and**Now, Therefore, Be It Resolved:**That, effective immediately, the membership of the **Joint Commission to Examine Police Reorganization** be revised as follow:

- Four (4) members to be appointed by the Mayor;
- The Police Commissioner or his designee (ex-officio);
- Two (2) members to be appointed by the Buffalo Police Benevolent Association;
- Two (2) members to be appointed by the Delaware District Council Member;
- Two (2) members to be appointed by the Ellicott District Council Member;
- Two (2) members to be appointed by the Fillmore District Council Member;
- Two (2) members to be appointed by the Lovejoy District Council Member;
- Two (2) members to be appointed by the Masten District Council Member;
- Two (2) members to be appointed by the Niagara District Council Member;
- Two (2) members to be appointed by the North District Council Member;
- Two (2) members to be appointed by the South District Council Member; and
- Two (2) members to be appointed by the University District Council Member.

Now, Therefore, Be It Resolved:That the **Joint Commission to Examine Police Reorganization** shall conduct their affairs in compliance with the following requirements:

1. The City of Buffalo Charter and Code;
2. Roberts Rules of Order;
3. The New York State Open Meetings Law;

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- 247
4. The Commission shall form sub-committees as deemed necessary by its membership;
 5. The Commission shall prepare quarterly status reports to apprise the Common Council of their progress and such reports shall be filed with the City Clerk no later than March 31, 2011; June 30, 2011; and Sept 30, 2011 with a final report containing their recommendations regarding Police Reorganization to be filed with the City Clerk upon its completion, or no later than December 31, 2011.



Michael P. Kearns

South District Common Council Member

ADOPTED

RESOLUTION

Sponsor: Mr. Franczyk

Re: Appointments to the Police Reorganization Commission


Whereas: The Common Council recently adopted resolutions that called for the empanelment and empowerment of a **Joint Commission to Examine Police Reorganization** to review the organizational structure of the Buffalo Police Department, evaluate its strengths and weaknesses, and develop a plan to reorganize the Buffalo Police Department in a way which balances the need to efficiently use personnel and equipment with the responsibility to keep neighborhood residents safe and maximize community policing; and

Whereas: At this time, a number of appointments to the **Joint Commission to Examine Police Reorganization** currently remain unfilled; and

Now, Therefore Be It Resolved:

That pursuant to the passage of the aforementioned Common Council resolutions, I hereby submit the names of the following persons to serve as Common Council appointments on the **Joint Commission to Examine Police Reorganization:**

<u>Council Appointments</u>	<u>Appointee</u>	<u>Appointee</u>
• Delaware District:	H. Wayne Gerhart, 86 Cleveland	<i>To Be Determined</i>
• Ellicott District:	James J. Sobol, 18 Michael's Walk	<i>To Be Determined</i>
• Fillmore District:	Joseph Mascia, 47 Marine Drive Apt. 4-E	Darnell Jackson 28 Barthel
• Lovejoy District:	<i>To Be Determined</i>	<i>To Be Determined</i>
• Masten District:	<i>To Be Determined</i>	<i>To Be Determined</i>
• Niagara District:	<i>To Be Determined</i>	<i>To Be Determined</i>
• North District:	<i>To Be Determined</i>	<i>To Be Determined</i>
• South District:	Thomas Higgins, 347 Whitfield	Richard Donovan, 57 Susan Lane
• University District:	Linwood Roberts, 296 Highland Parkway	Ricky M. Allen, Sr., 191 Roosevelt Ave.
<u>PBA Representatives:</u>	<i>To Be Determined</i>	<i>To Be Determined</i>
<u>Police Commissioner :</u>	Ex-officio or his designee	
<u>Mayoral Appointments:</u>	<i>To Be Determined</i> <i>To Be Determined</i>	<i>To Be Determined</i> <i>To Be Determined</i>


David A. Franczyk
 Common Council President
 Fillmore District Council Member

ADOPTED

ADOPT

530

RJ

Sponsors: LoCurto, Rivera, Haynes

RE: The Creation and Appointment of Members to the Hate Crimes Task Force

- Whereas:** On February 2nd, 2010, the Common Council resolved to adopt the Resolution calling for the creation of a Hate Crimes Task Force for the City of Buffalo; and,
- Whereas:** The Task Force will work to address the many challenges and obstacles non-hetero-normative and LGBT individuals face in our city; and
- Whereas:** The Task Force will work in conjunction with the goals established by the Commission on Citizens' Rights of the City of Buffalo, and
- Whereas:** It has been resolved that the Common Council appoint members to the Hate Crimes Task Force.

Now, Therefore Be It Resolved:

That the Task Force be comprised of the Commissioner of the Commission on Citizens' Rights of the City of Buffalo, three (3) appointments of the Common Council, one (1) appointment or representative from the District Attorney, and two (2) appointments of the Buffalo Police Commissioner.

Be It Further Resolved:


That these members will convene for the first Hate Crimes Task Force Meeting no later than January 2011.

Be It Further Resolved:

That a copy of this resolution be sent to Police Commissioner Daniel Derenda and District Attorney Frank Sedita III.


MICHAEL J. LOCURTO


DAVID A. RIVERA


CURTIS HAYNES, Jr.

Adopt 1st Resolⁿ, Refer remainder to
THE COMMITTEE
ON LEGISLATION.

250

RESOLUTION

Sponsor: Mr. LoCurto

Re: North Buffalo Ice Rink Oversight Committee

- Whereas:** As part of the Joint Schools Construction Project, recent construction at P.S. School #81 caused a number of issues at the adjoining North Buffalo Ice Rink; and
- Whereas:** These problems were alleviated in a timely manner thanks to the work and cooperation of the North Buffalo Community Development Corporation, the Department of Public Works, LP Ciminelli, and Buffalo Bisons hockey- the rink's major tenant; and
- Whereas:** Many improvements are upcoming at the North Buffalo Ice Rink thanks to allocations from the City's Capital Budget and State grant money; and
- Whereas:** Improvements to the North Buffalo Ice Rink will benefit the North Buffalo Community and those who live and play in the neighborhood surrounding the rink; and
- Whereas:** The Common Council wants the spirit of cooperation exhibited during the recent construction to continue forward into further improvements made at the rink; and

Now, Therefore, be it Resolved:

That the Common Council of the City of Buffalo establishes the North Buffalo Ice Rink Oversight Committee; and

Now, Therefore, be it Finally Resolved:

That the North Buffalo Ice Rink Oversight Committee be comprised of a representative of the North Buffalo Community Development Corporation's Board of Directors, the Commissioner of Public Works or a designee, the Delaware District Councilmember or a designee, and a representative of Buffalo Bisons Hockey.


Michael J. LoCurto

ADOPTED

55

RESOLUTION

Sponsors: Michael J. LoCurto, Bonnie E. Russell, *5m77N*

RE: RESOLUTION OF THE COUNCIL OF THE CITY OF BUFFALO IN SUPPORT OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

WHEREAS: The United Nations Commission on the Status of Women formulated a document titled "The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the United Nations General Assembly adopted CEDAW and opened it for signature in December 1979; and,

WHEREAS: The spirit of CEDAW is rooted in the goals of the United Nations to affirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and as CEDAW provides a comprehensive framework for addressing the various forces that have created and sustained discrimination based on sex; and

WHEREAS: CEDAW, sometimes called the International Bill of Rights for Women, obligates those countries which have ratified or acceded to it to take all appropriate measures to ensure the full development and advancement of women in all spheres; political, educational, employment, healthcare, economic, social, legal, marriage and family relations as well as to modify the social and cultural patterns of conduct of men and women to eliminate prejudice, customs and all other practices based on the idea of inferiority or superiority of either sex; and

WHEREAS: More than fifty-two countries, including the United States, signed CEDAW during the 1980 Mid-Decade Conference for Women in Copenhagen, Denmark, and as of March 2007, 185 countries have ratified or acceded to the Convention and the United States has not yet ratified or acceded to it; and

WHEREAS: In the United States, more than twelve states, eleven counties, and twenty cities have already endorsed or adopted CEDAW for their own jurisdictions; and

WHEREAS: Municipal governments have an appropriate and legitimate role in affirming the importance of international law in our communities as universal norms and to serve as guides for public policy, particularly in the diverse City of Buffalo wherein a majority of residents are female.

NOW, THEREFORE, BE IT RESOLVED: That the City of Buffalo hereby expresses its support for, and urges ratification by the United States of CEDAW.

BE IT FURTHER RESOLVED: That a copy of this resolution shall be sent to the President of the United States, with a copy to the Secretary of State and to each member of the US Senate Foreign Relations Committee, along with our local Congressional officials, endorsing the principles of CEDAW and encouraging US ratification of CEDAW.


MICHAEL J. LOCURTO


BONNIE E. RUSSELL

ADOPTED

258

RESOLUTION

Sponsor: Bonnie E. Russell**Subject: Greater Law Enforcement Coordination Needed in the University District**

Whereas: A number of high-profile crimes have occurred in the University District in recent years and these incidents have frequently involved problems between University at Buffalo ("UB") students and non-student University District residents; and

Whereas: Although many of these crimes have been solved and/or resulted in successful prosecution, the underlying issues which gave rise to these incidents remains unresolved, which continues to frustrate, alienate, and anger University District residents that care about their community; and

Whereas: The University District is one of the City's most diverse in terms of income levels and ethnicity and is home to a large number of UB students, many of whom live in off-campus housing in the University District; and

Whereas: The University District is patrolled by a number of different law-enforcement agencies, including the Buffalo Police Department, Erie County Sheriff's Department, the UB Police Department, the Niagara Frontier Transportation Authority and the New York State Police, each of which has different powers, duties and jurisdictions; and

Whereas: As taxpayers of the City of Buffalo, the County of Erie, and the State of New York, University District residents fund the operations of each of these law enforcement agencies, and are entitled to their services; and

Whereas: Recognizing that crime is not limited by political boundaries, it is critical for neighboring law enforcement agencies to coordinate their efforts even when the area of their geographic jurisdiction does not overlap, as is the case with the City of Buffalo Police and the Town of Amherst Police, Town of Cheektowaga Police, and Village of Kenmore Police.

Now Therefore Be It Resolved:

That the Buffalo Common Council supports an increase in coordination between the various law enforcement agencies that operate in and around UB and the University District; and

Be It Further Resolved:

That this Honorable Body requests that the leadership of the Buffalo Police Department, Erie County Sheriff's Department, the UB Police Department, the Niagara Frontier Transportation Authority, the New York State Police, the Town of Amherst Police, the Town of Cheektowaga Police and the Village of Kenmore Police to convene a meeting to explore ways of ensuring greater communication, planning, and support between their various agencies. Ideally, these efforts would include revisiting any existing Memorandums of Understanding ("MOU") between

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the parties that may currently be in effect and, if needed, the amendment of such MOU's or creation and execution of new MOU's between the various parties that specifically outline expectations for providing support and sharing information with one another; and

Be It Further Resolved:

That copies of this resolution be sent to the Buffalo Police Department, Erie County Sheriff's Department, the UB Police Department, the Niagara Frontier Transportation Authority, the New York State Police and the Town of Amherst Police, the Town of Cheektowaga Police and the Village of Kenmore Police for their review and filing of their comments with the City Clerk; and

Be It Finally Resolved:

That this item be sent to the appropriate committee of the Common Council to receive and discuss the responses requested above.



Bonnie E. Russell

University District Council Member

ADOPT 1st, 2nd, & 3rd RESOLVE, REFER REMAINDER TO THE SPECIAL COMMITTEE
ON POLICE OVERSIGHT

RESOLUTION

By: Ms. Russell

Re: Support State of the Art Aquarium for Inner Harbor at Memorial Auditorium Site

- Whereas: The Erie Canal Harbor was originally built in 1825 as the Western Terminus of the Erie Canal and made Buffalo one of the world's greatest business centers for much of the 19th and early 20th century; and
- Whereas: Buffalo transformed from a small village to a thriving metropolis, becoming one of the largest inland ports in the nation, bustling with people and goods from all over the world; and
- Whereas: During the latter half of the 20th century, fewer goods were transported through the Great Lakes, leading to the demise of the Erie Canal Harbor as a functional hub of commerce. The canal site was eventually filled in and left largely vacant, except for scattered parking lots; and
- Whereas: In 1999, plans called for restoring the buried Erie Canal terminus and adjacent 20 plus acres of land into a vibrant mixed-use waterfront destination in the city's former canal district; and
- Whereas: Today, the inner harbor area remains largely vacant. Other than infrastructure improvements, the area has seen few new buildings or new businesses to the expanse section swath of prime waterfront land; and
- Whereas: Locating a state of the art Inner Harbor Aquarium at the Memorial Auditorium site that features both fresh and salt water tanks would be a major attraction that would bring hundreds of thousands of visitors per year to the canal side area and spur further economic development on the waterfront; and
- Whereas: Multi-day visitors would help fill hotels, restaurants, create demand for new retail and finally give Buffalo's waterfront a major destination, while complementing our existing sites and attractions; and
- Whereas: An Inner Harbor Aquarium focusing on the Great Lakes ecosystem could feature plant and animal life found in and around the lakes; and
- Whereas: In 1981, the National Aquarium in Baltimore opened and since has been a symbol of urban renewal, an economic anchor for the city and a source of civic pride for the entire State of Maryland; and
- Whereas: A Great Lakes themed Inner Harbor Aquarium at the Memorial Auditorium site could be the anchor that this area needs to spur a full revitalization of the waterfront and the entire Western New York region;

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Now Therefore Be It Resolved:

That this Common Council goes on record in support of a Great Lakes themed Inner Harbor Aquarium, featuring both fresh and saltwater tanks and exhibits, at the Memorial Auditorium site; and

Be It Further Resolved:

That an Inner Harbor Aquarium committee be established to further look into bringing a world-class aquarium to Buffalo's waterfront; and

Be It Further Resolved:

That copies of this resolution be sent to New York State Senators Schumer and Gillibrand, to Congressman Brian Higgins, Mayor Byron Brown, to the Commissioner of Strategic Planning, Law Department and to the entire WNY Senate and Assembly delegation for their comments and suggestions.

Be It Finally Resolved:

That this item be sent to the appropriate committee for further discussion.



Bonnie E. Russell

ADOPTED

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JSU

BY: DEMONE A SMITH

Appointments
Commissioners of Deeds
Required for the Proper
Performance of Public Duties

That the following person(s) are hereby appointed as Commissioner of Deeds for the term ending December 31, 2010, conditional upon the persons so appointed certifying under oath to their qualifications and filing same with the City of Buffalo

Alyssa K. Weiss

Jason Hurley

Brian C. Bray

TOTAL 3

ADOPTED

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ANNOUNCEMENT OF COMMITTEE MEETINGS

The following meetings are scheduled. All meetings are held in the Common Council Chambers, 13th floor City Hall, Buffalo, New York, unless otherwise noted.

Regular Committees

Committee on Civil Service	Tuesday, November 9, 2010 at 9:45 o'clock A.M.
Committee on Finance following Civil Service	Tuesday, November 9, 2010 at 10:00 o'clock A.M.
Committee on Comm. Dev.	Tuesday, November 9, 2010 at 1:00 o'clock P.M.
Committee on Legislation	Tuesday, November 9, 2010 at 2:00 o'clock P.M.

Special Committees

Waterfront Development	Wednesday, November 10, 2010 at 11:00 o'clock A.M.
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(Public Disclaimer): All meetings are subject to change and cancellation by the respective Chairmen of Council Committees. In the event that there is sufficient time given for notification, it will be provided. In addition, there may be meetings set up whereby the City Clerk's Office is not made aware; therefore, unless we receive notice from the respective Chairmen, we can only make notification of what we are made aware.

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No.

Adjournment

On a motion by Mr. Fontana, Seconded by Mr. Kearns, the Council adjourned at

4:00 PM

GERALD CHWALINSKI
CITY CLERK

November 3, 2010